



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

Property Owner/Applicant Contact Information for Items to be Considered by the Tuolumne County Planning Commission at its Meeting of February 19, 2020:

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
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Agenda Item:

- Project Title:** Conditional Use Permit CUP19-005
Mitigated Negative Declaration

Planner's Name: Quincy Yaley

Property Owner Name: Regina Hirsch

Project Site: 18653 Main Street, Groveland

Telephone Number: (209) 206-2234



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AGENDA TUOLUMNE COUNTY PLANNING COMMISSION BOARD OF SUPERVISORS CHAMBERS, 4TH FLOOR COUNTY ADMINISTRATION CENTER 2 SOUTH GREEN STREET February 19, 2020 6:00 p.m.

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PLANNING COMMISSION BUSINESS: 6:00 p.m.

1. Reports from Commissioners and Staff
2. Report from the Board of Supervisors Planning Committee Representative
3. Report from the Agricultural Advisory Committee Representative
4. Minutes of the Meeting of February 5, 2020
5. Discussion on updating the Tuolumne County Planning Commission (TCPC) meeting procedures.

PUBLIC COMMENT: 15 minutes

The public may speak on any item not on the printed agenda. No action may be taken by the Commission.

PUBLIC HEARING: 6:00 p.m.

NEW ITEMS:

1. HIRSH,

1. Mitigated Negative Declaration for Conditional Use Permit CUP15-009 determining that the project will not result in significant adverse impacts to the environment by incorporating measures to mitigate the potential impacts into the conditions of approval.
2. Conditional Use Permit CUP15-009 to allow the following:
 - A. Up to 14 outdoor music concerts, weddings or other seasonal events from April through October with amplified music, vendors and food service.
 - B. Non-certified Farmer's Market held from Memorial Day through Labor Day on Friday afternoons, approximately 3 p.m. until 6 p.m. and Saturdays 8 a.m. until 1 p.m.
 - C. Farm Stand to be operated by co-op members for the sale of locally grown produce and cottage food products.

The project site is located at 18653 Main Street (State Highway 120) in Groveland, approximately 400 feet west of the intersection of Highway 120 and Powder House Street.

*** The doors to the Administration Building will be opened at 5:30 p.m.**

A portion of Sections 20 and 21, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 07-010-22. Supervisorial District 4.

The Minutes, Staff Reports, and environmental documents for the items referenced in this Agenda are available for review at the Tuolumne County Community Development Department Monday through Friday, 8:00 a.m. to 4:00 p.m., with the exception of every 1st and 3rd Wednesday from 9 a.m. to 4:00 p.m. Fourth Floor, A.N. Francisco Building, 48 Yaney, Sonora, California, and online at www.tuolumnecounty.ca.gov.

Any other materials related to the items referenced in this Agenda that are provided by the County to the Planning Commissioners prior to the meeting are available for review at the Tuolumne County Community Development Department 48 Yaney, Sonora, California, and will be available at the meeting. Any materials provided to the Planning Commissioners during the meeting by the County will be available for review at the meeting, and materials provided by the public will be available for review at the Community Development Department the day following the meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (209) 533-5633. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (28CFR Part 35 ADA Title II).

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SURFACE/MINERAL**RIGHTS OWNER:** Regina Hirsch**APPLICANT:** Regina Hirsch**DATE:** February 9, 2020

PROJECT AND LOCATION

PROJECT**DESCRIPTION:**

1. Mitigated Negative Declaration for Conditional Use Permit CUP15-009 determining that the project will not result in significant adverse impacts to the environment by incorporating measures to mitigate the potential impacts into the conditions of approval.
2. Conditional Use Permit CUP15-009 to allow the following:
 - A. Up to 14 outdoor music concerts, weddings or other seasonal events from April through October with amplified music, vendors and food service.
 - B. Non-certified Farmer's Market held from Memorial Day through Labor Day on Friday afternoons, approximately 3 p.m. until 6 p.m. and Saturdays 8 a.m. until 1 p.m.
 - C. Farm Stand to be operated by co-op members for the sale of locally grown produce and cottage food products.

The property is 21± acres in size. The site is zoned C-1 (General Commercial), C-1:H (General Commercial:Historic Combining), RE-1 (Residential Estate, One Acre Minimum) and O (Open Space) under Title 17 of the Tuolumne County Ordinance Code. The proposed uses will occur in the 2.7± acre portion of the site zoned C-1 and C-1:H.

LOCATION:

The project site is located at 18653 Main Street (State Highway 120) in Groveland, approximately 400 feet west of the intersection of Highway 120 and Powder House Street. A portion of Sections 20 and 21, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 07-010-22. Supervisorial District 4.

GENERAL PLAN:

The project is evaluated for consistency with the 1996 General Plan because of when the application was submitted and deemed complete prior to the approval of the 2018 General Plan. The General Plan land use designations of the site are General Commercial (GC) and Low Density Residential (LDR). Figure 1.6 of the Tuolumne County General Plan indicates that the existing C-1 and C-1:H zoning districts are compatible with the GC land use designation and the RE-1 zoning district is compatible with the LDR land use designation. Events and entertainment with amplified music are conditional uses within the C-1 zoning district; therefore, the proposed land uses may be found to be consistent with the GC land use designation. No events or activities will occur on the LDR portion of the site.

ENVIRONMENTAL EVALUATION

In accordance with the California Environmental Quality Act (CEQA), the Environmental Coordinator for the County has conducted an Initial Study to determine whether the proposed project may have a significant effect on the environment. On the basis of that study, the Environmental Coordinator has determined that although the project, as originally proposed, had a potential to have a significant effect on the environment, the project has been modified by incorporating measures to mitigate the potential impacts into the conditions of approval; therefore, a Mitigated Negative Declaration has been prepared. Pursuant to Section 21091 of the Public Resources Code, the Negative Declaration was made available for public review. The public review period was 30 days in length and closed on October 8, 2019. The County received two comment letters regarding the Mitigated Negative Declaration. The responses to the comments therein are included in the Agency Response at the end of this document.

RECOMMENDATION

1. Community Development Department Staff recommends approval of the Mitigated Negative Declaration prepared for this project based upon the following findings:
 - A. The proposed project will not result in significant adverse impacts to the environment.
 - B. The Mitigated Negative Declaration was prepared in accordance with the California Environmental Quality Act (CEQA) and State and County guidelines for the implementation of CEQA.
 - C. The Mitigated Negative Declaration reflects the independent judgment of the County of Tuolumne.
 - D. Pursuant to Section 21081.6(a)(1) of the Public Resources Code, a reporting and/or monitoring plan has been prepared, as incorporated into the conditions of approval of Conditional Use Permit CUP15-009, in order to avoid significant effects on the environment.
 - E. The conditions of approval of Conditional Use Permit CUP15-009 are roughly proportional to the respective potential environmental impacts associated with the proposed project.
 - F. Pursuant to Section 21081.6(a)(2) of the Public Resources Code, the custodian and location of the documents and materials which constitute the record of proceedings upon which this decision to adopt the Mitigated Negative Declaration has been made are as follows:

Clerk of the Board of Supervisors, 2 South Green Street, Sonora, California.

Environmental Coordinator/Community Development Department Director,
Tuolumne County Community Development Department, 48 Yaney Ave., Sonora,
California.
2. Community Development Department Staff recommends approval of Conditional Use Permit CUP15-009 based upon the following findings and subject to Conditions 1 through 92:
 - A. The proposed project is consistent with the Tuolumne County General Plan.

- B. The proposed project is in accordance with the Tuolumne County Ordinance Code.
- C. The project conforms to the Columbia Design Guidelines and to the principles of Section 17.46.080.
- D. The proposed use will not overburden existing municipal facilities.
- E. The size and terrain of the project site are suitable for the proposed use.
- F. Under the circumstances of the particular case, the proposed use will not be substantially detrimental to the health, safety or general welfare of the persons residing or working in the neighborhood of such proposed use, or be substantially detrimental or injurious to property and improvements in the neighborhood.

GENERAL INFORMATION

Site Description

1. The project site is located on the south side of State Highway 120. A portion of the property fronts on State Highway 120. The eastern boundary of the property fronts onto and runs parallel to Powder House Street.
2. The property is currently improved with one residence, a barn and accessory sheds. The residence is being used for the Mountain Sage nursery and café. The barn is located on the northern portion of the property. A small event stage is also located on the site along with a garden area. Outside dining is allowed in the garden area in association with the café. A short section of an intermittent stream, named Garrotte Creek, runs along the northern portion of the project site, adjacent to State Highway 120. A stone powder house is located along Powder House Street in the southeast portion of the site, which was built to store explosives used in area mining and is thought to have been constructed by Louis Cassaretto and Clyde Smith in 1904.
3. Two gravel parking areas are located on the site, one accessed from State Highway 120 and the other to the southeast of the Mountain Sage building, which is accessed from the driveway to the Groveland Medical Clinic. The existing parking areas can accommodate up to 20 vehicles. The parking area onto State Highway 120 does not currently have a paved encroachment onto the highway.
4. Elevations on the project site range from approximately 2,850 feet near State Highway 120, to 3,000 feet above mean sea level in the southeast portion of the site. Slopes range from 10% near the northern property boundary to 28% near the southeast property boundary. The Tuolumne County Wildlife Maps indicate that the wildlife habitat on the project site consists of ponderosa pine (ppn) and residential park (rsp). Vegetation consists of canyon live oaks, California black oaks, ponderosa pine, cedars, ornamental vegetation and annual grassland.
5. Open Space zoning is located 50-feet in width from the western property boundary. Due to the proximity of the highway, Open Space zoning is only 10-feet from the centerline of Garrotte Creek. Open Space is also located 15-feet surrounding the stone powder house structure. The :H (Historic Combining) zoning district is located 15 feet from the exterior walls surrounding both the barn and the Mountain Sage building. The zoning districts were placed on the site in 2003 for Tentative Parcel Map 03T-04, which created the current configuration of the project site.
6. The project site is bounded by parcels with the following zoning classifications and General

Plan Land use designations:

Assessor's Parcel Number	General Plan	Zoning	Direction
07-070-05	GC	C-1	Northeast
07-070-06	GC	C-1	Northeast
07-070-03	GC	C-1	Northeast
07-070-02	GC	C-1	Northeast
07-073-19	C-O	C-O	East
07-073-37	LDR	RE-1	East
07-073-41	LDR	R-1	East
07-073-33	LDR	R-2	East
07-080-08	LDR	R-1	Southeast
07-010-18	ER	RE-2	Southeast
66-030-13	AG	AE-37	South
07-010-21	LDR & GC	RE-1 & O	West
07-100-12	BP & GC	BP:MX & C-1:MX	Northwest

Legend:

C-1 -- General Commercial

C-O -- Neighborhood Commercial

R-1 -- Single Family Residential

R-2 -- Medium Density Residential

RE-1 -- Residential Estate, One Acre Minimum

RE-2 -- Residential Estate, Two Acre Minimum

O -- Open Space

AE-37 -- Exclusive Agricultural, Thirty Seven Acre Minimum

GC -- General Commercial

C-O -- Neighborhood Commercial

LDR -- Low Density Residential

ER -- Estate Residential

AG -- Agricultural

Project Description

- On July 23, 2015, an application was received from the property owners. The project was revised on August 1, 2017 and again on March 26, 2019 for the following:

Conditional Use Permit CUP15-009 to allow the following:

- Up to 14 outdoor music concerts, weddings or other seasonal events from April through October. Amplified music, vendors and food service will be on-site during the events. Most of the events will be held in the afternoon and run into early evening. An existing stage, near the northern property boundary, is proposed to be expanded to become 35 feet x 45 feet, with an attached overhead weather roof. A terraced seating area will be expanded in front of the stage to support a maximum of 500 people at any event.
- Non-certified Farmer's Market held from Memorial Day through Labor Day on Friday afternoons from 3 p.m. until 6 p.m. and Saturdays 8 a.m. until 1 p.m. Children's activities, food service and live music will also be on-site. Expected attendance is 20-30 people at any one time, with a total of 250 coming and going over the weekend event.

- Farm Stand to be operated by co-op members for the sale of locally grown produce and cottage food products.
8. Initially, the applicant submitted an application for at Historic Use Permit CUPH15-003 to modify the exterior to structures located within the :H overlay district. The environmental document was prepared anticipating that the project included proposals that necessitated such a Historic Conditional Use Permit. However, upon review by the Community Development Director prior to the Planning Commission meeting, the proposed modifications were determined to simply be for maintenance of the barn structure and for health and safety reasons at the residence. Therefore, pursuant to Tuolumne County Ordinance Code Section (TCOC) 17.44.060, the activities are exempt from the CUPH requirement. Historic Conditional Use Permit CUPH-15-003 has been withdrawn, and in the future, should a modification be proposed not meeting the definition of ordinance maintenance or be required for health and safety reasons, a new CUPH would be required prior to the modifications.
 9. Vendors will be on site during events with booths displaying products for the public to improve their quality of life and live more sustainably. Live music and food service will be on-site during all the events.
 10. The project also includes the construction of an on-site 167 space parking lot located in the north eastern portion of the site, adjacent to Powder House Street. Event parking will either utilize Powder House Street or a new access driveway from State Highway 120 to the new parking lot.
 11. If the project utilizes Powder House Street to access the new parking lot, this street would need to be widened to Tuolumne County Title 11 standards. A pedestrian walkway was previously proposed, through the County owned ambulance building property, to connect the new parking area to the event area of the site. The pedestrian walkway easement was approved by the Tuolumne County Board of Supervisors in a previous BOS action.
 12. If the project does not utilize Powder House Street to access the new parking lot, a new driveway will be constructed from the Groveland Medical Center driveway, through the northwest corner of the County Ambulance Building parcel, in order to access the proposed 167 space parking lot on the project site. The County can grant an easement for this use subject to an agreement between the project proponents and the County.

General Plan Consistency

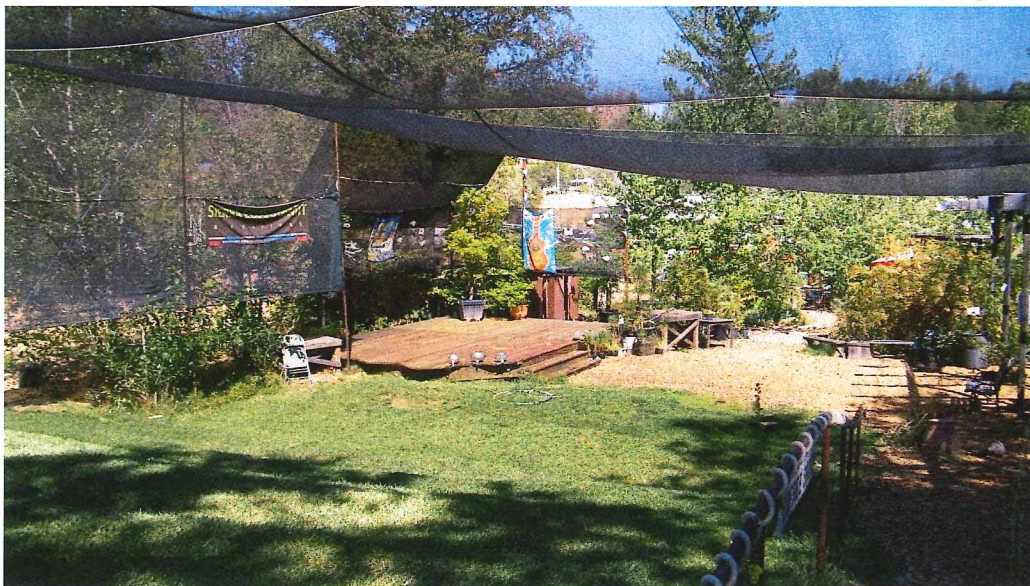
13. The project site has a General Plan land use designation of GC and LDR. Of the 21.0± acre project site, approximately 4.0± acres are designated GC which encompasses the northeastern portion of the site. The remaining acreage is designated LDR.
14. The GC designation provides for a variety of sales and service establishments which serve both the residents of Tuolumne County and its visitors. This designation is found within urban areas and along highway corridors to provide large scale retail and office operations. Typical establishments permitted under the GC designation include shopping centers, hotels, motels, restaurants, bars, department stores, gift shops and professional offices.
15. The LDR land use designation provides for family-oriented neighborhoods that feature single family, detached homes on individual parcels. Typical land uses allowed include single-family dwellings, secondary dwellings, residential accessory uses, parks, child care facilities and public facilities.

Zoning Ordinance

16. The project site is zoned C-1, C-1:H and O under Title 17 of the Tuolumne County Ordinance Code. The C-1 and C-1:H zoning districts are consistent with the General Commercial land use designation pursuant to the 1996 Tuolumne County General Plan. The RE-1 and O zoning districts are consistent with the LDR designation.
17. Specific sections of the Ordinance Code that pertain to the project site are found in the table of the Land Use and Planning section of the Initial Study document.
18. Section 17.68.020 states that the purpose of the Conditional Use Permit is to allow the proper integration in the community of uses which may be suitable only on certain conditions in specific locations in a zoning district, or when a site is regulated in a particular manner. Use permits shall be granted for a particular use at a particular location, and may be transferred by the permittee to another person, but not to another location. Section 17.68.040 specifies the notification requirements and Section 17.68.050 discusses the findings which must be made by the decision making body.

Landscaping

19. Section 15.28.030 of the Tuolumne County Ordinance Code states that the minimum area required to be landscaped for commercial, industrial and multiple-family residential development projects that are subject to a planned unit development permit, site development permit, site review permit, conditional use permit, building permit, or grading permit on land zoned C, M, BP, M-U, R-3, or R-2 is ten percent (10%).
20. The property owners have already planted extensive landscaping on the majority of the project site which meets the 10% minimum requirement. The new 167 space parking area will be required to be landscaped and/or retain native vegetation to present an attractive appearance from neighboring properties, Powder House Street and State Highway 120.



LANDSCAPING AND EXISTING STAGE

Biological Resources

21. The Tuolumne County Wildlife Habitat Map for the USGS Groveland 7.5 Minute Quadrangle indicates that two common wildlife habitat types on the project are ponderosa pine (ppn), and residential-park (rsp). Vegetation on the project site, outside of developed areas, consists of canyon live oaks, California black oaks, ponderosa pine, cedars, and ornamental vegetation. The understory vegetation consists of buck brush, manzanita, blackberries and annual grassland. An intermittent stream known as Garrote Creek traverses the frontage of the project site adjacent to State Highway 120. Details of the wildlife habitat are found in the Biological Resources section of the Initial Study document.
22. Public Resources Code Section 21083.4 requires oak woodland mitigation for any project where the conversion of oak woodlands results in a significant impact to the environment. This project is being analyzed under the 1996 General Plan, therefore the County of Tuolumne defines an "oak woodland as an area with 10 percent oak canopy cover". The project site has an oak canopy greater than 10%; however, the project will not result in the removal of a significant number of oak trees from the project site; therefore, oak woodland mitigation is not required.
23. One Old growth oak (OGO) tree with a diameter-at-breast height of 36 inches may need to be removed for the placement of a new driveway to serve the new 167 space parking lot. If any OGO trees are removed, the property owner will be required to either replant trees or pay an in-lieu fee. Replanting an impacted oak tree is a standard mitigation measure used by the California Department of Fish and Wildlife (at a ratio of ten trees for every one OGO removed). If the property owner chooses not to replant trees, the in-lieu fees for each impacted tree will be as follows:

Payment of in-lieu fees for replanting = OGOs X number of trees to be planted X \$200.00
24. In 2003, O (Open Space) was approved by the Board of Supervisors on the project site, pursuant to Zone Change 03RZ-004, for a land which created the project site. The O zoning mitigated cumulative impacts to wildlife, wetlands and cultural resources. The Open Space consists of 50-feet along the southwestern portion of the project site, 15-feet from the foundation of the Powder House structure and 10-feet from the centerline of Garrotte Creek. No further mitigation for wildlife conservation will be required for the current project.
25. One driveway crossing exists on Garrotte Creek and will be allowed to be maintained and improved to Title 11 standards. The driveway is currently utilized for the Farmer's Market portion of the site and front parking lot adjacent to State Highway 120. The driveway will require a paved apron which will be designed and constructed so it will not impact Garrotte Creek. Any future crossings or disturbance of Garrotte Creek will require a Streambed Alteration Permit from the California Department of Fish and Wildlife.
26. The California Department of Fish and Game Natural Diversity Data Base (CNDDB) maps, and the Tuolumne County Wildlife Habitat Maps were consulted for known locations of special status plants or animal species. No known special status plants or animal species are in the vicinity of the project site.

Off-Street Parking

27. Section 17.60.020(20) of the TCOC states that other uses not specifically listed in the Code shall furnish parking as required by the Community Development Department Director. In determining the off-street parking requirements for said uses, the Director shall use Section 17.60.020 as a general guide and shall determine the minimum number of parking spaces required to avoid interference with the public use of streets and alleys.

28. Events or weddings are not addressed in the parking standards; however, similar projects approved within Tuolumne County have used a parking requirement of one (1) parking space per three (3) people. The property owner has stated that a maximum of 500 people may attend an event, which includes both guests and staff for the wedding. A minimum of 167 parking spaces are required on the site to accommodate up to 500 people.
29. Two gravel parking areas are located on the site, one accessed from State Highway 120 and the other to the southeast of the Mountain Sage building, which is accessed from the driveway to the Groveland Medical Clinic. The existing parking areas can accommodate up to 20 vehicles. The proposed new 167 space parking lot, to the southeast of the event area could allow for sufficient parking in association with a wedding or event on the site.



EXISTING GRAVEL PARKING LOT ADJACNET TO HIGHWAY 120

30. The Engineering Division of the Department of Public Works has reviewed the project and will allow the main 167 space parking area to be gravel, with a dust palliative placed in between the rows. Grading activities for parking improvements or other on-site improvements will require obtaining a Grading Permit, pursuant to Section 12.20.050 of the Ordinance Code.
31. The proposed Conditions of Approval will require that a parking area plan, including handicap spaces, be submitted to the Engineering Division of the Department of Public Works for review and approval prior to a grading permit or the operation of events on the site. The parking area plan must meet the current requirements of the California Building Code and Title 11.

Traffic and Access

32. Access to the property is currently provided by a driveway easement off of State Highway 120 which serves a small gravel parking area. A second access is provided by a driveway easement that serves the Groveland Medical Clinic and connects to a second gravel parking area on the east of the Mountain Sage building.

There are two proposed options for a new driveway to access the new upslope parking lot, which if the CUP is approved, will be selected and finalized prior to issuance of a Grading Permit:

- A. Option A: A driveway access from Powder House Street to the new upslope parking lot, with a pedestrian path from the parking lot to the Mountain Sage building. An easement for the pedestrian path has already been approved by the County CAO's

office.

Should Power House Street be utilized for access to the new upslope parking area, Powder House Street will be a secondary access and will be required to be widened to Title 11 standards as a Condition of Approval. Powder House Street joins State Highway 120 approximately 475 feet east of the Mountain Sage event area. State Highway 120 is under the jurisdiction of the California Department of Transportation (Caltrans).

- B. Option B: A new driveway west of the Groveland Medical Clinic and through the western corner of the County Ambulance property (APN 07-070-03) to the new upslope parking lot, subject to approval of an easement from the County CAO's Office.
33. The maximum number of people at any event would be 500, including both guests and staff, under the requested Conditional Use Permit. It is estimated that those attending and working the event would average three persons per vehicle, which would result in a maximum of 167 vehicles the day of a concert or other large event.
34. The project has been reviewed by the California Department of Transportation (Caltrans) and the Engineering Division of the Department of Public Works. Neither Caltrans nor the Engineering Division required a traffic study for the project because the anticipated level of traffic resulting from the project was not large enough to warrant a traffic study. For a Traffic Study to be required by the Engineering Division, the peak afternoon trips (Between 4:30 pm and 6 pm) would need to be greater than 50 vehicle trips per hour, or greater than 500 vehicle trips per day. The information for Traffic Studies is found in the *Guide for the Preparation of Tuolumne County Traffic Impact Studies*. Caltrans uses similar criteria to determine when a Traffic Study is warranted. The total vehicle trips from a concert or other large event are estimated to be less than 200 vehicle trips per day, when an event is occurring, based on a maximum of 500 attendees grouped on average 3 people per vehicle.
35. Caltrans has advised the following to be implemented for potential impacts from events with greater than 300 people in attendance:
- Provide bicycle racks on the site.
 - Provide pedestrian paths to access the site.
 - Prepare a Traffic Management Plan, along with proposed signage and the use of the California Highway Patrol to coordinate traffic for larger events (greater than 300 people). The Traffic Management Plan must be reviewed by Caltrans to ensure the maximum event size proposed can feasibly accommodate the proposed parking access from State Highway 120.
 - Obtain an encroachment permit from Caltrans for traffic control and signage for the State Highway 120 right-of-way.
 - Provide a Drainage Plan for review and approval by Caltrans that shows potential runoff from the proposed new 167 space parking area and its effects on State Highway 120 drainage facilities. A Grading Permit for the parking lot will not be issued until the Drainage Plan has been approved.
36. The project will be required to provide a Traffic Management Plan for review and approval Caltrans. The Traffic Management Plan will be implemented prior to all concerts or other events expected to attract greater than 300 people. The Plan will not be necessary for normal operations at the Mountain Sage nursery and café, or for the operation of the Farmer's Market, or events expected to attract less than 300 people.

37. The Tuolumne County Board of Supervisors has determined that certain types of projects contribute, cumulatively, to the significant adverse impacts on the County's circulation system. The Traffic Impact Mitigation Fee (TIMF) for recreational projects is currently \$1,560.00 per parking space. As discussed above, a ratio of 1 parking space per 3 special event guests is being used to calculate off-street parking. A maximum of 500 people is initially proposed; therefore, a minimum of 167 parking spaces are required to accommodate the wedding/special events parking. The applicant has specified that a maximum of fourteen (14) weddings, concerts or other events will occur per year which could attract 500 participants; therefore, the payment of fees would be prorated for 14 events per year. Currently this would require a payment of TIMF in the amount of \$9,899.76, however the TIMF is adjusted every July 1.
38. To mitigate the impact for the operation of year round weddings and events, the project proponent or property owner must pay the TIMF required by Chapter 3.54 of the Tuolumne County Ordinance Code prior to the operation of events on the project site.

Cultural Resources

39. A cultural resource study was conducted on the property by Foothill Resources Limited on June 9, 2003. The project site was studied for both archaeological and architectural resources. The field survey revealed three archaeological features that were considered not eligible for listing in the California Register of Historic Resources and therefore not significant historic resources for the purposes of CEQA. Four historic structures were recorded and evaluated on the property. Foothill Resources Limited stated that three of those structures are eligible for the California Register at the local level of significance, and are therefore considered historic resources under CEQA. These three structures are also listed in the *Big Oak Flat – Groveland Historic Sites Survey* completed in 1988.



HISTORIC POWDER HOUSE ON THE SITE

40. The three structures identified on the property are the 1870's Laveroni house (Mountain Sage), the 1920's barn and the powder house. The stone powder house is located along Powder House Street in the southeast portion of the site, which was built to store explosives used in area mining and is thought to have been constructed by Louis Cassaretto and Clyde Smith sometime around 1904. The recommendation of Foothill Resources Limited is to protect these buildings from exterior alterations that would negatively affect their historic

character or setting. In order to protect these structures from exterior alteration, the 1870's home and the 1920's barn were placed into the Historic Combining District (:H) which extends fifteen feet from the foundation of these buildings. Any future modifications to these structures require an application for a Historic Conditional Use Permit, subject to the exemptions in TCOC 17.44.060. The third structure, the powder house, has been included in Open Space zoning which extends fifteen feet from its foundation.

41. If an inadvertent discovery of cultural materials is made during project related ground disturbing activities, ground disturbances in the area of the find must be halted and a qualified professional archaeologist must be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant and develop appropriate mitigation pursuant to Section 14.10.150 of the Ordinance Code.

Greenhouse Gas

42. If a proposed project *either* is equal to or less than the project size screening criteria found in Table 5-8 of the Tuolumne County Greenhouse Gas (GHG) Study, *or* incorporates *all* of the measures identified in Table 5-9 (P-1 through P-4) of the GHG study, then a project specific assessment is not required. For further information concerning greenhouse gas, please see the Greenhouse Gas Emissions section of the Initial Study document.

Noise

43. Goal 5.A.4 of the 1996 Tuolumne County General Plan directs the County to determine if new development or changes to existing development, which requires a discretionary entitlement, will create new or exacerbate existing noise levels which exceed the standards for surrounding land uses. The project site would generate noise from the use of amplified music in association with weddings and events.
44. Figure 5.4 of the 1996 Tuolumne General Plan shows the maximum allowable noise exposure from stationary noise sources measured from nearby land uses. The noise from nearby noise sources will be considered during the design and approval of a project.

**FIGURE 5.4
OF THE TUOLUMNE COUNTY GENERAL PLAN
MAXIMUM ALLOWABLE NOISE EXPOSURE-STATIONARY NOISE
SOURCES¹**

	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
Hourly Leq, dB ²	50	45
Maximum level, dB ³	70	65

1. This table applies to noise exposure as a result of stationary noise sources. For a development project or land use change involving a noise-sensitive land use, the noise from nearby noise sources will be considered during design and approval of the project, or in determining whether the land use change is appropriate. For development projects which may produce noise, land use changes and project review will consider the effects of the noise on possible noise-sensitive land uses. When considering modification or expansion at a site that already produces noise levels which exceed these standards at noise-sensitive land uses, the modification or expansion shall be reviewed to consider if the proposed action will further raise the existing noise levels received at the noise-sensitive land use(s).

Noise-sensitive land uses include urban residential land uses, libraries, churches, and hospitals, in addition to nursing homes or schools which have over 6 beds or students, respectively. Transient lodging establishments which are considered noise sensitive land uses include hotels, motels, or homeless shelters, but not bed and breakfast establishments located in rural areas, campgrounds, or guest ranches. Urban means areas that are characterized by residential densities exceeding 1 dwelling unit per two acres and commercial development except on land designated on the General Plan land use diagrams as Special Commercial (SC).

2. The sound equivalent level as measured or modeled for a one-hour sample period. The daytime or nighttime value should not be exceeded as determined at the property line of the noise-sensitive land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers or other property line noise mitigation measures.
 3. Similar to the hourly Leq, except this level should not be exceeded for any length of time.
45. Figure 5.5 of the Tuolumne County General Plan shows the significance of change in cumulative noise exposure from a project that could cause a significant increase in the cumulative noise exposure of existing noise-sensitive land uses. During the analysis to determine significant changes, ambient noise levels are considered. The ambient noise level is used as the normal environmental noise at that location. For the project area, a significant change would occur if noise from the project site increased the level of ambient noise greater than 1.5 dB as shown in the table below:

**FIGURE 5.5
OF THE TUOLUMNE COUNTY GENERAL PLAN
SIGNIFICANCE OF CHANGES IN CUMULATIVE NOISE EXPOSURE¹**

Ambient Noise Level Without Project² (Ldn or CNEL)	Significant Impact if Cumulative Level Increases By:
<60 dB	+ 5.0 dB or more
60-65 dB	+ 3.0 dB or more
>65 dB	+ 1.5 dB or more

1. These standards shall be applied when considering the noise impacts from projects that could cause a significant increase in the cumulative noise exposure of existing noise-sensitive land uses. If it is likely that existing noise-sensitive land uses could experience these increases in cumulative noise exposure, as measured in CNEL or Ldn, then an acoustical analysis that meets the requirements of Figure 5.1 shall be accomplished and the results considered in project design.
2. Ambient Noise is defined as the composite of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.

The following definitions are from the Glossary of the 1996 Tuolumne County General Plan and are used in the Noise Element of the General Plan:

CNEL: Community Noise Equivalent Level means a 24-hour energy equivalent level derived from a variety of single-noise events, with weighing factors of approximately 4.8 and 10 decibels applied to the evening (7:00 PM to 10:00 PM) and nighttime (10:00 PM to 7:00 AM) periods, respectively, to allow or the greater sensitivity to noise during these hours.

Ldn: the day/night average sound level. The Ldn is the average equivalent sound level during a 24-hour day, obtained after addition of ten (10) decibels to sound levels in the night after 10:00 p.m. and before 7:00 a.m.

dBA: is the "A-weighted" scale for measuring sound in decibels. It weighs or reduces the effects of low and high frequencies in order to simulate human hearing. Every increase of 10 dBA doubles the perceived loudness though the noise is actually ten times more intense.

A-Weighted Sound Level: All sound levels referred to in this document are in A-weighted decibels. A weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Most community noise standards utilize A weighting, as it provides a high degree of correlation with human annoyance and health effects.

Decibel: means a unit used to express the relative intensity of a sound as it is heard by the human ear. The decibel scale expresses sound level relative to a reference sound pressure of 20 micronewtons per square meter, which is the threshold of human hearing. Sound levels in decibels (dB) are calculated on a logarithmic basis. An increase of 10 decibels represents a 10-fold increase in acoustic energy, and an increase of 20 decibels corresponds to a 100-fold increase in acoustic energy. An increase of 10 dB is usually perceived as a doubling of noise.

Equivalent Sound Level (Leq): The equivalent sound level is the sound level containing the same total energy as a time varying signal over a given sample period. Leq is typically computed over 1, 8 and 24-hour sample periods.

Leq is the energy equivalent level, defined as the average sound level on the basis of sound energy (or sound pressure squared). The Leq is a "dosage" type measure and is the basis for the descriptors used in current standards, such as the 24-hour CNEL used by the State of California. The hourly Leg is measure over a 1 hour sample period.

Lmax: is the highest sound level measured over a given period of time.

46. On July 23, 2016, measurements of music and crowd noise associated with a live concert on the Mountain Sage property were conducted by *Environmental Science Association (ESA)*. The noise analysis is available for review at the Community Development Department, 48 Yaney Street, Sonora, during regular business hours 8 am until 4 pm Monday through Friday. Noise monitors were placed near the stage area, on a residence approximately 430 feet to the southeast of the stage area and on a residence located nearly the same distance to the southwest between the hours of 5 pm and 10 pm during the live concert activities on a Saturday. The results of the noise analysis are as follows:

RESULTS OF THE NOISE ANALYSIS

	Noise Measurement	Location of Monitor
Hourly Leq, dB	50 to 59 dBA ¹	190 feet south of the event stage.
Maximum level, dB	63 to 71dBA ²	190 feet south of the event stage.
Hourly Leq, dB	42 to 50 dBA ¹	Residence (430 feet to the southwest)
Maximum level, dB	56.9 to 70.8 dBA ²	Residence (430 feet to the southwest)

1. Prior to people arriving for the concert activities on the Mountain Sage property.
2. Sound mainly from amplified music on the stage area.

47. The conclusion of the analysis found that music from the live concerts may result in a contributing value between 57 dBA and 71 dBA decibels at residences 430 feet to the southwest of the stage area. The noise consultant recommended implementing a *Sound Control Plan*, which includes limiting the hours and days of the week for the use of amplified music on the site, redirecting speakers to not face towards the south (away from the residence) and to have events monitored with a sound meter to ensure noise does not exceed the Tuolumne County Noise Standards for sensitive receptors.
48. The project will be conditioned to require that the noise levels generated by activities on the project site adhere to the following General Plan exterior noise limits as measures at the property lines:

Zoning Classification of Receiving Property	Noise Level (dB) of Sound Source	
	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 Leq. (1 hour) ¹	45 Leq. (1 hour) ¹

¹Leq. 1 hour refers to the average noise level measured over a one hour period.

Utilities

49. Section 17.34.010 of the Tuolumne County Ordinance Code states that development within the C-1 (General Commercial) zoning district shall be served with public water, public sewer, paved streets and adequate police and fire protection according to the policies of the general plan. Development in this zone must comply with Title 15 of the Ordinance Code relative to fire safety standards.
50. The Mountain Sage nursery and café facility currently utilized public water and sewer provided by the Groveland Community Services District (GCSD). GCSD responded to the project and stated concerns regarding the ability to provide sufficient sanitary facilities on the site for events attracting up to 500 people. The project will be conditioned to provide portable toilet facilities in sufficient quantities that meets Chapter 5 of the Tuolumne County Ordinance Code; therefore, there will not be a significant impact on sewer services provided by the GCSD or result in the need to expand the current wastewater treatment facilities.

Restrooms for Weddings or Events

51. The number of restroom facilities required for weddings or other events has been determined utilizing Section 5.12.220 – Outdoor Music Festivals of the Tuolumne County Ordinance Code, which specifies the number of sanitary facilities required for outdoor music festivals as follows: at least one water closet and one urinal for every two hundred males and one water closet for every one hundred females, or major fraction of such number unless the Health Department finds that a lesser number is sufficient in which case that number shall be provided. If a compartment contains one water closet and one urinal, the applicant may count it as one water closet or as one urinal but not as both. Such sanitary facilities shall first be approved by the Environmental Health Division. The project will be required to comply with Section 5.12.220.

Advisory Agency Responses

52. Advisory Agencies were notified of the project. The Environmental Health Division comments have been included in the proposed Conditions of Approval. The Solid Waste Division provided comments on the handling of refuse and recyclables. The Engineering Division response is discussed in the Traffic and Access section above.
53. The project has been reviewed by the Tuolumne County Fire Prevention Division (FPD) for consistency with the National Fire Code, California Fire Code, California Building Code, the Tuolumne County General Plan and Ordinance Code. The FPD indicates that parking areas and road access must meet County Standards, including the posting of a “No Parking Fire Lane” and “Emergency Exit” signs, and a traffic control point for safe entry and exit from the site. These requirements will be made conditions attached to Conditional Use Permit CUP15-009.
54. The project has been reviewed by the Building and Safety Division of the Community Development Department who responded that plans and specifications must be submitted for all altered, modified or newly constructed structures on the project site, for review and approval prior to obtaining a Certificate of Occupancy for each structure. These requirements have been made Conditions of Approval for Conditional Use Permit CUP15-009.
55. During circulation of the Mitigated Negative Declaration, the California Department of Transportation (Caltrans) responded that the traffic control measures previously identified by Caltrans be implemented for events in which greater than 300 people are expected.
56. During circulation of the Mitigated Negative Declaration, the Central Valley Regional Water Quality Control Board responded stating their standard conditions relating to erosion control and water quality protection. The Conditions of Approval for the project reflect those standard conditions. No other comments were received during the circulation of the Mitigated Negative Declaration.

Adjoining Property Owners

57. Pursuant to Section 17.68.040 of the Tuolumne County Ordinance Code, owners of property located within 1,000 feet of the project site were notified of the proposed project. Sixty seven (67) adjoining property owners were notified. Fourteen (14) responses were received. Four (4) were in favor and ten (10) were opposed to the project. Some of the concerns were:
 - **Noise from amplified music and events:**

Please review the Noise section of this document for further information.
 - **Increased traffic from events:**

For Traffic information, please see the Traffic and Access section of this document.
 - **Emergency access for vehicles and people during a fire event:**

The Tuolumne County Fire Department reviewed the project and has provided conditions relating to the width of driveways, the circulation of fire trucks within the parking areas, the posting of exits signs on structures and other conditions to ensure the project meets all regulations relating to the California Building and Fire Code.

- **Loss of property values:**

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA). Section 15064(e) of the *State CEQA Guidelines* states that economic and social changes resulting from a project shall not be treated as significant effects on the environment. Therefore, they are not discussed in the Initial Study document. Concerns expressed over the potential of this project to devalue nearby properties is considered a social or economic impact, and may be raised during the public hearing process for this project

- **They should use Mary Laveroni Park for events:**

Mary Laveroni Park is located approximately ½ mile to the east of the project site. The Park contains a stage area, bleachers, restrooms and a large parking lot. While events have been held at the park in the recent past, the project applicant is proposing to hold events on the project site subject to approval of Conditional Use Permit CUP15-009.

- **Parking off site on adjoining commercial business's lot blocking customer access:**

The project applicant is proposing a new on-site 167 space parking lot for events on the project site. The new parking lot will encourage persons attending the events to park on the project site and not on neighboring properties. Signs will be utilized during events to direct attendees to the parking areas on the project site.

PREPARED BY: Renee Hendry, Environmental Analyst

**CONDITIONS OF APPROVAL
FOR
HIRSCH
CONDITIONAL USE PERMIT CUP15-009**

General Conditions:

1. LU As a condition of the grant of approval of this Permit, and as a continuing condition of approval of the Permit, developer/permittee/applicant/property owner/subdivider, and the successor in interest shall defend, indemnify, save and hold harmless the County of Tuolumne, its elected and appointed officials, officers, agents, employees and volunteers from any and all claims, actions, proceedings, or liability of any nature whatsoever (including attorney's fees and costs awards) arising out of, or in connection with the County's review or approval of the application or project on which this condition is imposed, or arising out of or in connection with the acts or omissions of the above described person, and his/her/its agents, employees, or contractors, during any work performed in connection with the application or project. With respect to review or approval, this obligation shall also extend to any effort to attack, set aside, void, or annul the approval of the project including any contention the project approval is defective because a county ordinance, resolution, policy, standard, or plan is not in compliance with local, state or federal law. With respect to acts or omissions of the above described person and his/her/its agents, employees, or contractors, the obligation hereunder shall apply regardless of whether the County prepared, supplied, or approved plans, specifications or both. If the defense right is exercised, the County Counsel shall have the absolute right to approve any and all counsel employed to defend the County. To the extent the County uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the above described person will reimburse County upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel's time at its regular rate for non-County agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action, or proceedings. For any breach of this obligation the County may, without notice, rescind its approval of the application or project to which this covenant/condition is attached. (TCOC, Section 17.68.150)
2. ED A Grading Permit shall be obtained from the Engineering Division of the Department of Public Works prior to any grading, excavation or earthmoving on the site or associated with this project. (TCOC, Section 12.20.050)
3. BD Meet the obligations to obtain a Building Permit for construction or modification of structures from the Building and Safety Division of the Community Development Department as needed. (CBC, Section 105.1)

**Conditions to be met within 120 days of the effective date of Conditional Use Permit CUP15-009
OR prior to first event:**

4. ED/CT Provide a Traffic Management Plan to the California Department of Transportation (Caltrans/CT) for review and approval prior to any event which attracts more than 300 people. A copy of the Plan shall also be provided to the Engineering Division of the Department of Public Works. The Plan shall address the following:
 - The location of bicycle racks on the site.

- The location of pedestrian paths to access the site.
 - The use of signage to control the flow of traffic to/from the site, along with directional signs to the parking area.
 - The use of the California Highway Patrol to control traffic during large (greater than 300 people) events.
(CEQA, Section 15041, [Initial Study, "Transportation/Traffic"])
5. LU The property owner shall sign a Hold Harmless Agreement for the use of an easement through Assessor's Parcel Number 07-070-03, which is owned by Tuolumne County. (CEQA, Section 15041, [Initial Study, "Transportation/Traffic"])
6. LU/BD The applicable Traffic Impact Mitigation Fees shall be paid to the Tuolumne County Community Development Department. The current fee is \$9,899.76 based on the July 1, 2019 Traffic Impact Mitigation Fee Schedule. The fee is based on a maximum of 14 weddings, concerts or other events (greater than 100 people) annually on the project site, but is adjusted every July 1. (TCOC, Chapter 3.54; CEQA, Section 15041, [Initial Study, "Transportation/Traffic"])

Prior to issuance of a Grading Permit or Operation of Events:

7. ED Submit to the State Water Resources Control Board Storm Water Permitting Unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit (California's National Pollutant Discharge Elimination System (NPDES) general permit for construction related storm water discharges). (Federal Water Pollution Control Act, State Water Resources Control Board)
8. ED A Drainage Plan shall be submitted to the Engineering Division of the Department of Public Works for review and approval to address the following:
- A. The entire project site including the parking lot (existing and new lot) drainage.
 - B. The induced runoff to downstream drainages, culverts and adjacent property.
 - C. An on-site retention/detention basin, sedimentation basin, or similar device would need to be installed at a future date when the main parking lot is paved, to filter and attenuate surface runoff from paved travel ways and parking areas prior to discharge into the natural drainage system to minimize degradation. If an on-site retention/detention system is used, the basin may be proposed as subsurface under the parking lot.
(TCOC, Chapter 12.20)
9. ED The applicant shall submit an engineered maintenance plan for maintenance of the on-site retention basin. The maintenance plan shall include all activities required to maintain the basin and facilities along with the cost of such maintenance. At a minimum the plan shall include: vegetation control, erosion control, sediment removal and, if necessary, mosquito control. (TCOC, Chapter 12.20)
10. ED/LU A Parking Area Plan shall be submitted to the Engineering Division of the Department of Public Works and Land Use and Natural Resources Division of the Community Development Department for review and approval. The Plan shall address:

- A. Internal traffic circulation, parking stall layout (existing and new lot) and include necessary striping, marking and signing.
- B. The parking lot control plan shall provide a commercial driveway a minimum of 20 feet in width or as approved by the Engineering Division of the Department of Public Works, meeting the requirements of Title 11 of the Tuolumne County Ordinance Code from the Groveland Medical Clinic driveway, or Powder House Street (if utilized for events). The driveways and roads shall be paved and extended to within 150 feet of all portions of all buildings.
- C. The 167 space main parking lot may be gravel with a central isle (between the parking rows) treated with a chip seal or dust palliative. The handicapped parking spaces must be paved. The parking spaces adjacent to State Highway 120 must be paved.
- D. A minimum of 167 parking spaces on the site are required, including 5 handicapped accessible and 17 spaces for low emitting, fuel-efficient and/or carpool/vanpool parking only. The Parking Area Plan shall be submitted in connection with the site grading and drainage plans.

(TCOC, Section 11.16.020; CFC, Sections 902.2.3 and 902.2.2.4; CEQA, Section 15041, [Initial Study, "Greenhouse Gas Emissions" and "Transportation/Traffic"])

11. ED Engineered Road Improvement Plans shall be submitted to the Engineering Division of the Department of Public Works for review and approval as follows:

- A. For widening of Powder House Street to a minimum of 20-feet in width from the intersection of State Highway 120 to the proposed parking area west of Powder House Street (if Powder House is utilized for event traffic).
- B. For all commercial driveway improvements.
- C. For pedestrian sidewalk/access improvements from the 167 space parking lot, through the County Ambulance parcel and any other proposed pedestrian sidewalk/access to serve the project site.

(TCOC, Section 11.04.050; CEQA, Section 15041, [Initial Study, "Transportation/Traffic"])

12. BD Prior to the construction of any site improvements or grading on the site, all property corners shall be monumented and clearly visible. Where a clear line-of-sight between lot corners does not exist, appropriate markers shall be set on the property line to identify the boundaries while construction is in progress. (TCOC, Chapter 12.20 and Section 17.56.020)

13. LU Submit an Exterior Lighting Plan for review and approval by the Land Use and Natural Resources Division of the Community Development Department. Exterior lighting shall incorporate the following:

- A. Screen lighting from roads with structures, vegetation, or topography; direct the light downward to the area to be illuminated;
- B. Install shields to direct light and reduce glare;
- C. Utilize low rise light standards or fixtures attached to the buildings;
- D. Utilize low or high pressure sodium lamps instead of halogen type lights;
- E. All exterior lighting shall be equipped with automatic timing devices;
- F. All outdoor lighting shall be turned off one hour after the concert or event activities conclude at night, except outdoor lighting used for security purposes or to illuminate walkways, and parking lots may remain lighted after these hours when

the lighting is activated by a motion sensor. The motion sensor controlled lighting shall turn on when activated and turn off within five minutes of inactivity. The motion sensor activated lighting shall not be triggered by any movement or activity located off the property. Any deviation to these restrictions must be submitted and approved by the Planning Division of the Community Development Department; and

- G. Parking lot light standards shall be of the post and lamp type or similar in appearance. (TCOC, Section 17.68.150; CEQA, Section 15041, [Initial Study, "Aesthetics"])
14. LU Submit a Sign Plan to the Land Use and Natural Resources Division of the Community Development Department for review and approval, for any existing or proposed signage on the site. The Sign Plan shall be consistent with Chapter 17.62 of the Tuolumne County Ordinance Code. (TCOC, Chapter 17.62)
15. LU Submit a Landscape Plan, for the 167 space new parking area, to the Land Use and Natural Resources Division of the Community Development Department for review and approval. The Plan shall show sufficient landscaping around the parking lot area to provide screening from State Highway 120. The Plan shall be consistent with Chapter 15.28 of the Tuolumne County Ordinance Code. (TCOC, Section 15.28.010; CEQA, Section 15041, [Initial Study, "Aesthetics"])
16. CT Obtain an encroachment permit from the California Department of Transportation (Caltrans/CT) prior to conducting work or the placement of traffic control signage within the State Highway 120 corridor. (CEQA, Section 15041, [Initial Study, "Transportation/Traffic"])
17. ED Obtains an encroachment permit from the Engineering Division of the Department of Public Works for work within Powder House Street, or any other County road right-of-way. (CEQA, Section 15041, [Initial Study, "Transportation/Traffic"])
18. ED A Utility Encroachment Permit shall be required for any utility work done within any County road right-of-way. (TCOC, Section 12.04.010)
19. EH The permittee shall provide a will serve letter from the Groveland Community Services District agreeing to provide a permanent supply of potable water to the existing and proposed facilities and structures containing plumbing on the site. (Title 24, Part 5, Section 601.1).
20. EH/BD Submit a plot plan supplement showing the location of refuse facilities for the storage of solid waste and recyclable materials to the Building and Safety Division, and Environmental Health Division of the Community Development Department for review and approval. Such storage facilities shall not occupy any required parking areas. (TCOC, Chapter 8.05; California Retail Food Code, Article 4)

Conditions to be met during the construction phase of the proposed project:

21. BD Hours of exterior construction on the project site shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Exterior construction shall be prohibited on Sunday and County holidays. (CEQA, Section 15041, [Initial Study, "Noise"]; TCOC, Section 17.68.150)

22. ED An Erosion Control Plan shall be submitted for approval and shall be implemented for any construction to take place between October 15 and May 15 of any year. In the absence of such plan, all construction shall cease on or before October 15, except that necessary to implement erosion control measures. (TCOC, Chapter 12.20)
23. LU If a cultural resource is discovered during the activities authorized by this Permit, the person in possession of the parcel for which the permit was issued and all persons conducting any activity authorized by this permit shall comply with the following provisions:
- A. The person discovering the cultural resource shall notify the Community Development Department by telephone within 4 hours of the discovery or the next working day if the department is closed.
 - B. When the cultural resource is located outside the area of disturbance, the Community Development Department shall be allowed to photodocument and record the resource and construction activities may continue during this process. On parcels of two or more gross acres, the area of disturbance includes building pads, septic areas, driveways or utility lines, grading and vegetation removal, plus 300 feet. On parcels of less than 2 gross acres, the area of disturbance equals the boundaries of the parcel.
 - C. When the cultural resource is located within the area of disturbance, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource as determined by the Community Development Department may continue. A qualified professional, as defined in Section 17.04.657 of the Tuolumne County Ordinance Code, such as an archaeologist or an historian, shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource.
 - D. When the cultural resource is determined to not be significant, the qualified professional or Community Development Department shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Development Department.
 - E. When a resource is determined to be significant, the resource shall be avoided with said resource having boundaries established around its perimeter by a qualified professional archaeologist or historian or a cultural resource management plan shall be prepared by a qualified professional to establish measures formulated and implemented in accordance with Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA) to address the effects of construction on the resource. The qualified professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Development Department. All further activity authorized by this permit shall comply with the cultural resources management plan.

A cultural resource is any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military,

engineering or architectural significance to the citizens of Tuolumne County, the State of California, or the nation which is 50 years of age or older or has been listed on the National Register of Historic Places, the California Register of Cultural Resources, or the Tuolumne County Register of Cultural Resources. (TCOC, Section 14.10.150)

24. APCD Secure burning permits from the Tuolumne County Air Pollution Control District and the California Department of Forestry and Fire Protection prior to burning vegetation on the site. Only clean dry vegetation shall be burned on the site on a California Air Resources Board declared permissive burn day. (TCAPCD Rules and Regulations, Regulation III)
25. APCD Exposed serpentine gravel is prohibited on the project site, unless exempted pursuant to TCAPCD Rules and Regulations, Regulation IX, Rule 904 Section (F) or Rule 908 Section (C) or (D)(3). No person shall use, apply, sell, supply, or offer for sale or supply any restricted material (as defined in subsection (I)(20) of Rule 904) for surfacing, unless it has been tested and determined to have an asbestos content that is less than 0.25 percent. Any roadway including road shoulders or any surface that is subject to vehicular travel or pedestrian access must be completely covered with non-restricted material. (California Health and Safety Code, Sections 93105 and 93106)
26. BD Property owner shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the construction site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at all other intervals, as need dictates, to control dust. (CEQA, Section 15041, [Initial Study, "Air Quality"]; TCOC, Section 12.20.330)
27. AG All hay, straw, hay bales, straw bales, seed, mulch or other material used for erosion control or landscaping on the project site shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
28. AG All equipment brought to the project site for construction shall be thoroughly cleaned of all dirt and vegetation prior to entering the site, in order to prevent importing noxious weeds. (Food and Agriculture Code, Section 5401)
29. AG All material brought to the site, including rock, gravel, road base, sand, and top soil, shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
30. ED All soils disturbed by grading shall be reseeded or hydromulched or otherwise stabilized as soon as possible and before October 15 of the construction year, and emergency erosion control measures shall be utilized as requested by County officials. (TCOC, Sections 12.20.310 and 12.20.320)
31. LU/ED All Open Space zoning within 50 feet of any construction activity, including equipment travel or storage or materials storage, shall be delineated by construction fencing prior to and during all earthmoving and construction activities on the project site. If

disturbance within the Open Space area does occur, the property owner shall submit an application for a Conditional Use Permit to the Community Development Department which shall include a revegetation plan. The revegetation plan shall be prepared by a biologist. (TCOC, Section 17.14.030)

32. SW All solid waste from demolitions or remodeling shall be disposed of at facilities authorized by the County Board of Supervisors by Resolution 183-04, which includes the Cal Sierra Materials Recovery Facility (MRF), the Pinecrest Transfer Station or the Groveland Transfer Station. Solid waste that is not accepted at these facilities may be disposed of at an alternative facility that is permitted to receive the waste. (TCOC, Section 7.12.050)

Conditions to be met prior to the issuance of a Certificate of Occupancy by the Tuolumne County Building and Safety Division or operation of events on the site:

33. LU The final project shall meet all requirements mandated by federal, state or local law. Federal or state law may require additional obligations beyond that required by these conditions or local requirements, including additional analysis of environmental or other issues, over which the County has no control. (TCOC, Section 17.68.150)
34. LU/BD All construction on the site shall adhere to the site plan and exterior approved by the Tuolumne County Planning Commission on _____. (TCOC, Section 17.68.150)
35. EH/BD Refuse storage facilities shall be constructed as shown on the plot plan supplement approved by the Building and Safety Division (CCR Title 14, Sections 17301-17317)
36. FPD/ED Roads shall be provided within 150 feet of all portions of the exterior walls of the buildings. The roadways shall be constructed to have an unobstructed width of not less than 20 feet to the main parking lot, and an unobstructed vertical clearance of not less than 15 feet. The roadways shall be designed and maintained to support the imposed loads of fire apparatus with a surface to provide all-weather driving capabilities. The configuration of the fire apparatus access roadways shall be indicated on the site plan and shall be approved by the Tuolumne County Fire Prevention Division. (CFC, Section 503; TCOC, Section 11.16.020)
37. FPD For dead-end fire apparatus access roads in excess of 150 feet in length, an area for turning fire apparatus around shall be provided as approved by the Tuolumne County Fire Prevention Division. (CFC, Section 503)
38. FPD Lighted Emergency Exit Signs shall be installed in locations shown the plans approved by the Fire Prevention Division. (CBC, Section 1003.2.8)
39. FPD Each entrance including all gated access shall be a minimum of 20 feet in width. A Knox Box shall be installed on every gate to provide Fire Department access. (CFC, Section 902)
40. FPD There shall be designated, controlled parking areas including traffic control points and emergency exits. Fire apparatus access roads shall not be blocked or obstructed in any manner, including the parking of vehicles. "NO PARKING" signs shall be placed along the main entrance to parking lots, and along all fire department access routes. All

signage shall be approved by the Fire Prevention Division. (TCOC, Section 5.12.120 and CFC, Section 901.4.2 and 902.2.2.4)

41. FPD Five pound 2A10BC portable dry chemical fire extinguishers shall be installed at each building in cabinets located within a travel distance of not more than 75 feet from any point. All extinguisher locations shall be approved by the Fire Prevention Division of the Tuolumne County Fire Department prior to installation. (CFC, Section 906, Title 19)
42. FPD An emergency evacuation plan shall be submitted and approved by the Fire Prevention Division prior to holding events for the public. The plan shall include procedures for use of alarms, notification of occupants, and emergency responders in the event of alarm system malfunction, isolating the fire, evacuating each fire area and the building or property, and relocation of non-ambulatory persons. Copies of the plan shall be given to all supervisory personnel and a copy shall be available on the premises to personnel at all times. (CFC, Section 1303.3.4.1)
43. FPD Post the occupant load (room/area capacity) on an approved sign near the main exit from the room or area of buildings open to the public. The sign shall be maintained legible by the owner or the owner's authorized agent and shall indicate the number of occupants permitted for each room/area use. (CFC, Section 1004.3)
44. FPD Address numbers shall be displayed on a building or land in such a manner as to be visible from the street or road on which the building or land fronts. Where the building is located more than 50 feet from the main roadway, the number shall be displayed at the entrance of the driveway and be readable from both directions. The size of the letters, numbers and symbols for addresses shall be a minimum of six inch letter height but shall not exceed twelve inches in height, five-eighth inch stroke, reflectorized, contrasting with background color of the sign. Addresses mounted to buildings shall use the same size configuration and be illuminated. All numbers or signs shall be maintained in a neat and orderly manner so as to remain readable. (TCOC, Section 12.12.080(A)(3) and 12.12.080(A)(4); CFC, Section 901.4.4)
45. LU/BD All parking on the site shall adhere to the approved parking lot control plan. A minimum of 167 County standard off-street parking spaces shall be provided for the project. (TCOC, Chapter 17.60; [CEQA, Section 15041, [Initial Study "Greenhouse Gas Emissions"]])
46. ED Drainage improvements shall be installed in accordance with the drainage plans approved by the Engineering Division of the Department of Public Works. (TCOC, Section 17.68.150)
47. ED A 15-foot wide easement shall be dedicated along all existing pipes that are not currently located within a public utility easement. (TCOC, Chapter 12)
48. ED Provide proof that slope and drainage easements have been obtained or provided in such locations as necessary to accommodate cut and fill slopes, setbacks as flow from the site. (TCOC, Chapter 12)
49. LU/BD Exterior lighting shall be installed in compliance with the approved lighting plan. (CEQA Section 15041, [Initial Study, "Police Protection"])

50. LU All landscaping on the site shall adhere to the Landscape Plan approved by the Community Development Department. Any significant deviation from the plan shall require approval of supplemental plans submitted by the property owner. If the installation of landscaping is not allowed due to drought then a security agreement may be entered into in lieu of planting prior to issuance of the Certificate of Occupancy. (TCOC, Sections 15.28.010 and 17.68.150; CEQA, Section 15041, [Initial Study, "Visual Quality"])
51. LU Irrigation systems for landscape vegetation shall comply with Chapter 15.28 of the Tuolumne County Ordinance Code. (TCOC, Chapter 15.28)
52. LU All landscaped areas shall be mulched with materials, such as bark or wood chips, which promote water retention and reduce water loss from evaporation consistent with Chapter 15.28 of the Tuolumne County Ordinance Code. (TCOC, Chapter 15.28)
53. ED All grading, both on and off site, shall be completed in compliance with the Grading Permit issued by and the grading plans approved by the Engineering Division of the Department of Public Works. (TCOC, Chapter 12.20)
54. BD/LU The property owner shall provide accessible recycling and green waste bins with instructions/education program explaining how to use the bins, what can go into each bin, and the importance of recycling to patrons. (TCOC, Section 17.68.15; CEQA, Section 15041, [Initial Study, "Greenhouse Gas Emissions"])

On-going Conditions:

55. LU/CT Prior to erecting any off-site sign(s) for the events, or No Parking signs an encroachment permit shall be obtained from the California Department of Transportation (Caltrans/CT). CEQA, Section 15041, [Initial Study, "Transportation/Traffic"])
56. EH The use or storage of hazardous materials on-site shall be in compliance with TCOC Chapter 13.24, Chapter 6.95 of California Health and Safety Code, and California Code of Regulations Title 19. (TCOC, 13.24; CCR, Title19)
57. LU Property owner shall be responsible for maintaining landscape plants in a healthy and attractive condition. Dead or dying plants shall be replaced with materials of equal size and similar variety. (CEQA, Section 15041, [Initial Study, "Aesthetics"])
58. AG Landscaped areas and unimproved areas on the project site shall be maintained free of noxious weeds. The property owner shall have an effective program for the control of noxious weeds on the project site. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (CEQA, Section 15041, [Initial Study, "Biological Resources"])
59. FPD An emergency evacuation plan, approved by the Fire Prevention Division, shall be on site and periodically updated. Copies of the plan shall be given to all supervisory personnel and a copy shall be available on the premises to personnel at all times. (CFC, Section 1303.3.4.1)

60. LU Amplified music or other amplified sound shall cease by 10:00 PM Sunday through Friday, and cease by 11:00PM on Saturdays. (TCOC, Section 5.12.120)
61. LU Amplified music or other amplified sound shall not exceed 70 dB 190 feet south of the event stage. (CEQA, Section 15041, [Initial Study, "Noise"])
62. LU The property owner or their representative shall monitor noise levels from amplified music or other amplified sound with their own sound-meter to ensure the noise levels are less than 70dBA 190-feet from the stage area, and also meets the noise limits at adjacent property boundaries based on the zoning of the receiving property. CEQA, Section 15041, [Initial Study, "Noise"])
63. LU The noise levels generated by concerts or other community events on the project site shall be restricted to the following exterior noise limits as measured at the property line:

Zoning Classification of Receiving Property	Noise Level (dB) of Sound Source	
	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 L _{eq} . (1 hour) ¹	45 L _{eq} . (1 hour) ¹

¹L_{eq}. 1 hour refers to the average noise level measured over a one hour period. (CEQA, Section 15041, [Initial Study, "Noise"]; TCOC, Section 17.68.150)

64. LU Speakers or amplified sound systems for concerts or events shall be placed so that no portion of the speaker or sound system faces towards the residence located to the southwest. (CEQA, Section 15041, [Initial Study, "Noise"])
65. LU Any exterior lighting on the site or associated with concerts or other community events shall comply with the following: direct the light downward to the area to be illuminated, install shields to direct light and reduce glare, and utilize low rise light standards, utilize low or high pressure sodium lamps instead of halogen type lights. (TCOC, Section 17.68.150; CEQA, Section 15041, [Initial Study, "Aesthetics"])
66. EH The property owner or event coordinator shall submit a community food event organizer permit application to the Environmental Health Division at least 14 days prior to each event and receive a valid permit to operate prior to each event. (CHSC Part 7; the California Retail Food Code Chapters 10.5 and 11, Sections 114332 through 114363; TCOC, Section 17.68.150)
67. EH The property owner or event coordinator shall ensure that all persons selling, preparing, delivering, or serving food and beverages submit a complete application to the Environmental Health Division for a permit to operate a Temporary Food Facility at least 14 days prior to each event, and obtain a valid permit for operation prior to the event. (CHSC Part 7; the California Retail Food Code Chapters 10.5 and 11, Sections 114332 through 114363, TCOC Section 17.68.150)

68. EH For each concert or other community event, the property owner or event coordinator shall provide approved sanitary facilities for potable water supply, the disposal of liquid waste and storage to be accessible to all food vendors for use that are adequate in capacity and in compliance with the California Retail Food Code. (CHSC Part 7; the California Retail Food Code Chapters 10.5 and 11, Sections 114332 through 114363; CCR Title 24, Part 5 Section 602.4; TCOC Section 13.08.150)
69. EH The property owner or event coordinator shall provide at least one water closet (toilet) and one urinal for every two hundred males and one water closet for every one hundred females, or major fraction of such number permitted to attend each event. If a compartment contains one water closet and one urinal the permittee may count it as one urinal but not both. The water closets shall be on the site a minimum of one day prior to the event. (CCR Title 24, Part 5 Section 602.4; TCOC Sections 13.08.311 and Chapter 5.12)
70. EH The property owner or event coordinator shall provide one lavatory (wash basin) for each two water closets (toilets) that are required. (CCR Title 24, Part 5 Section 602.4; TCOC Section 13.08.311 and Chapter 5.12)
71. EH All toilets and lavatories shall be maintained in a clean and sanitary manner during the events. (CCR Title 24, Part 5 Section 602.4; TCOC Section 13.08.311)
72. EH The property owner or event coordinator shall submit evidence of an agreement to rent and service the chemical toilets provided for each event from a company registered by the Tuolumne County Division of Environmental Health no later than 14 days prior to each event. (CCR Title 24, Part 5 Section 602.4; TCOC Section 13.08.311)
73. EH No later than 14 days prior to each event, the property owner or event coordinator shall submit evidence to the Tuolumne County Division of Environmental Health of a service agreement between approved liquid waste disposal facilities for the disposal of liquid waste requiring offsite disposal generated by each event. (CCR Title 24, Part 5 Section 602.4; TCOC Section 13.08.311)
74. EH At least 3 potable water drinking fountains shall be provided for use during each concert or other community event. (CCR Title 24, Part 5, Section 601.1)
75. EH At least 14 days prior to each concert or community event, the property owner or event coordinator shall provide evidence to the Tuolumne County Division of Environmental Health indicating that an approved supply of potable water meeting the minimum requirements of the California Safe Drinking Water Act with the capacity to furnish at least 30 gallons per person per day will be provided by the permittee for use by all staff and patrons during the event. (CCR Title 24, Part 5, Section 601.1)
76. EH The property owner or event coordinator shall provide approved facilities for the storage of a minimum of 50 cubic yards of garbage and trash generated by and for each event. (CHSC Part 7; the California Retail Food Code Chapters 10.5 and 11, Sections 114332 through 114363 TCOC, Section 8.05.035)
77. EH All garbage, recyclables and trash shall be deposited in durable plastic bags and tightly secured prior to disposal in approved storage facilities. (TCOC, Section 8.05.035)

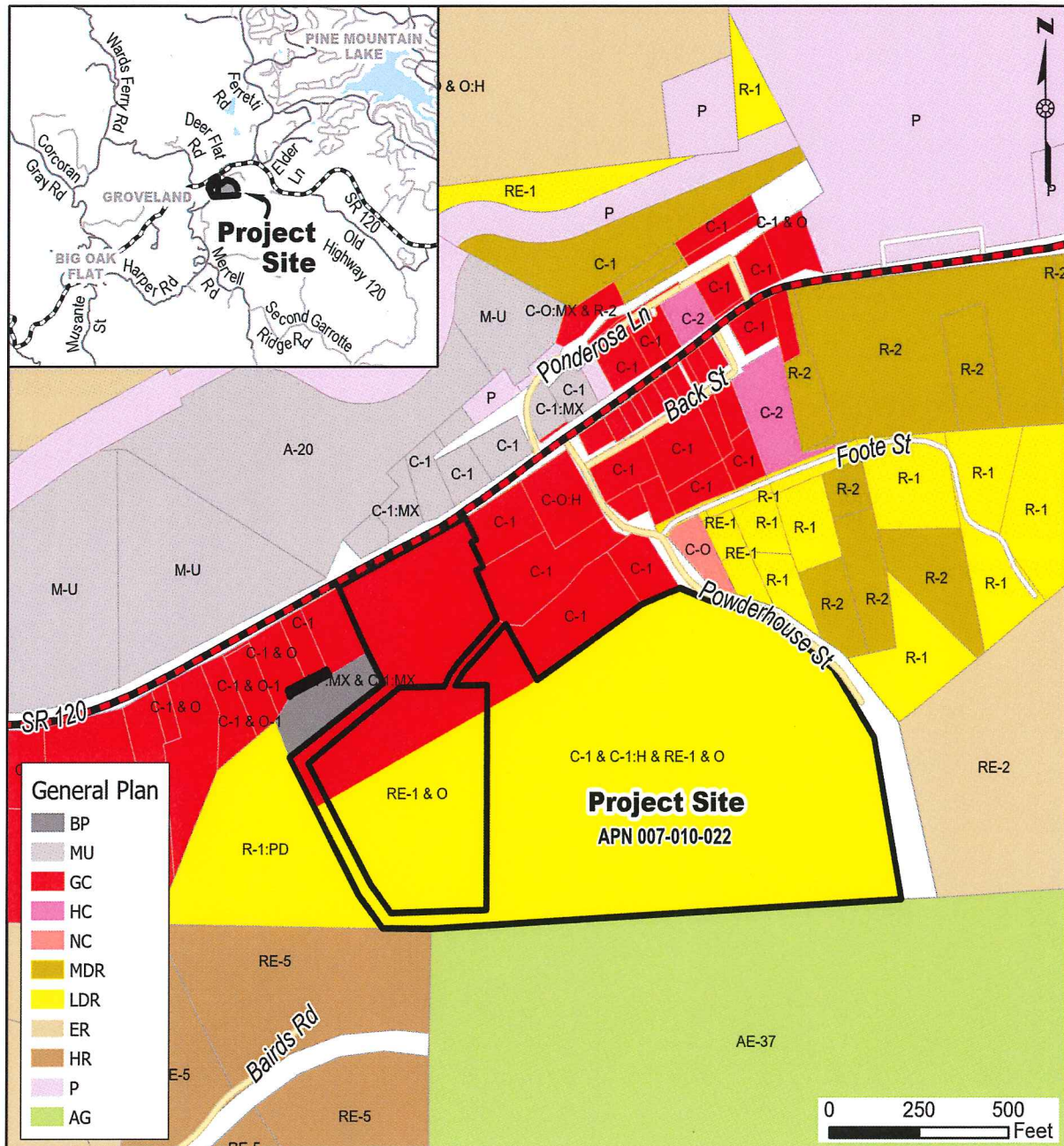
78. SW All refuse must be removed from the site within 7 days of its generation. All refuse shall not be visible from any public street, road or highway. (TCOC, Section 8.05.035)
79. SW All rubbish on the project site shall be removed within 30 days of its generation. All rubbish shall not be visible from any public street, road or highway. (TCOC, Section 8.05.035)
80. SW All recyclables on the project site shall be maintained at less than 1,600 square feet as specified in Section 8.05.035 of the Ordinance Code. All recyclables shall not be visible from any public street, road or highway. (TCOC, Section 8.05.035)
81. EH The property owner or event coordinator shall submit evidence of a service contract with permitted refuse hauling and solid waste disposal company, to the Tuolumne County Division of Environmental Health, for trash and garbage removal services, at least 14 days prior to each event. (TCOC, Section 8.05.035)
82. LU No more than 14 weddings, concerts or other events (greater than 100 people in attendance at one time) shall occur on the project site without prior approval of an amendment to Conditional Use Permit CUP15-009. (TCOC, Section 17.68.150)
83. LU/ED The property owners or event coordinator shall post temporary "No Event Parking" signs along both sides of Power House Street, Foote Street, Back Street, Ponderosa Lane and Hopper Street. A temporary encroachment permit shall be obtained from the Engineering Division of the Department of Public Works prior to the placement of the signs in the County road right-of-way. (CEQA, Section 15041, [Initial Study "Transportation/Traffic"])
84. CT No event parking shall be allowed within the State Highway 120 right-of-way. Signs shall be posted "No Event Parking" prior to each event along the State Highway with an encroachment permit from the California Department of Transportation (Caltrans/CT). (CEQA, Section 15041, [Initial Study "Transportation/Traffic"])
85. LU All signs, including the temporary and permanent "No Parking" signs shall receive regular maintenance so as to minimize tendencies to decay, fade, warp, chip or otherwise deteriorate in appearance. (CEQA, Section 15041, [Initial Study "Transportation/Traffic"]; TCOC, Section 17.62.030)
86. LU All persons selling, preparing, delivering, or serving food or beverages shall comply with the California Retail Food Code, Chapters 10 and 11. (TCOC, Section 5.12.350, California Retail Food Code, Chapters 10 and 11)
87. EH Applicant shall provide sanitary facilities for food purveyors that include adequate provisions for potable water supply and storage, refrigeration, and washing and utensil clean-up; that meet the requirements of the Environmental Health Division in accordance with all applicable California Retail Food Code requirements. (TCOC, Section 5.12.120, California Retail Food Code, Chapters 10 and 11)
88. LU Fuel oil shall not be utilized as a heating source. (CEQA, Section 15041, [Initial Study "Greenhouse Gas Emissions"])

89. LU The property owner shall obtain a Timber Conversion Permit and Timber Harvesting Plan or waiver from the California Department of Forestry and Fire Protection prior to the removal of commercial species of timber from the site. The Timber Harvesting Plan must be prepared by a Registered Professional Forester. It is recommended by the California Department of Forestry and Fire Protection that the Timber Conversion Permit be prepared by a Registered Professional Forester. Copies of the approved Timber Conversion Permit and Timber Harvesting Plan shall be submitted to the Community Development Department. (CEQA, Section 15041, [Initial Study "Biological Resources"])
90. LU If any OGO trees are removed, the property owner will be required to either replant trees or pay an in-lieu fee. Replanting an impacted oak tree is a standard mitigation measure used by the California Department of Fish and Wildlife (at a ratio of ten trees for every one OGO removed). If the property owner chooses not to replant trees, the in-lieu fees for each impacted tree will be as follows:
- In-lieu fees for replanting = OGOs X number of trees to be planted X \$200.00
(CEQA, Section 15041, [Initial Study "Biological Resources"])
91. LU The owner shall submit notification for a Streambed Alteration Permit to the California Department of Fish and Wildlife prior to any work involving any waterways or drainages. (CEQA, Section 15041, [Initial Study "Biological Resources"])

MONITORING PROVISION: A Notice of Action shall be recorded for Conditions 1 through 91, to notify all owners of this parcel of the conditions of this entitlement and these responsibilities. Any violations observed by the Community Development Department or Department of Public Works during regular site inspections or in response to complaints shall be referred to the agency having jurisdiction over the condition for resolution or referred to the Code Compliance Officer for enforcement. (PRC, Section 21081.6; TCOC, Section 17.68.150)

COMMUNITY DEVELOPMENT DEVELOPMENT CONTACT PERSON: Renee Hendry

S:\Planning\PROJECTS\Conditional Use Permit Historic\2015\CUP15-009 Hirsch (CUPH15-003)\CEQA\Agenda Report.doc



Owner/Applicant: Regina & Rob Hirsch

APNs: 007-010-022

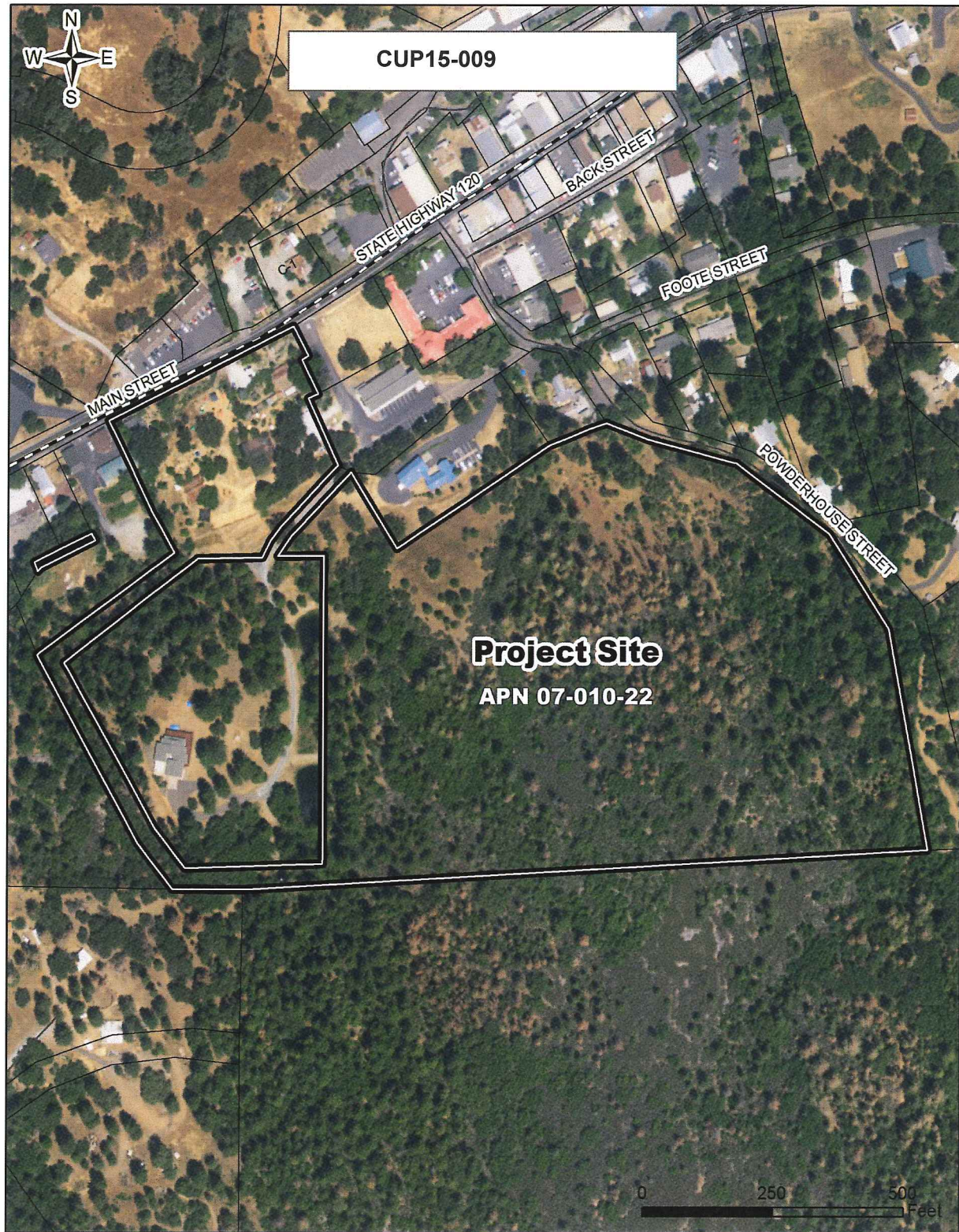
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Projects: CUP15-009

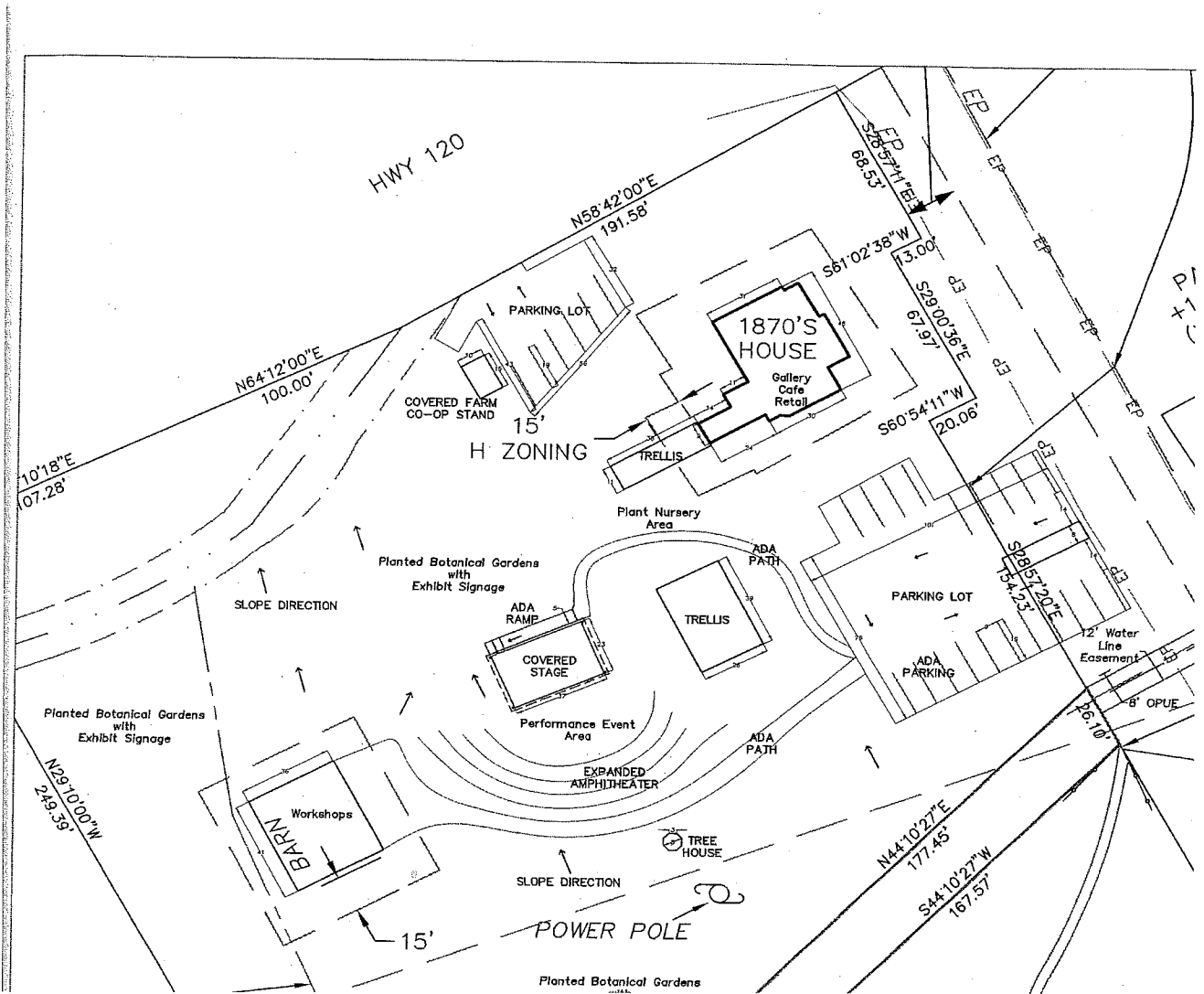
Existing Zoning: C-1, C-1:H, RE-1, & O

Proposed: CUP15-009 to allow for up to 14 public events per summer season, weekly farmer's markets, and a farm stand to be operated on site.

Supervisorial District No. 4



[illegible]



LAYOUT OF STRUCTURES AND EXISTING PARKING AREAS

existing parking areas and a new larger parking area. The majority of the parking spaces will be located in the new larger parking area located on the southeast portion of the site with access from Powder House Road.

The property is zoned C-1 (General Commercial), C-1:H (General Commercial:Historic Combining), RE-1 (Residential Estate, One Acre Minimum) and O (Open Space) under Title 17 of the Tuolumne County Ordinance Code. The proposed uses will occur in the C-1 and C-1:H zoning districts on the site.

The project site is located at 18653 Main Street in Groveland. A portion of Sections 20 and 21, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 07-010-22.

Because you own property located within 1,000 feet of the project site, we would like your opinion of this proposed project. Please list your comments below:

We think this is a wonderful asset to our community.
It's projects like these that help make Groveland the
destination vs. just a drive through on your way to
Yosemite. We support & approve this project!

Jess & Chelsea Garcia

Your Name(s)

P.O. Box 165 Groveland CA 95321

Mailing Address

If we do not receive your comments by Friday, September 1, 2017, we will assume that you have no objections.

For additional information relative to this project, please contact me by telephoning (209) 533-5633 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 3:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available on the County website, www.tuolumnecounty.ca.gov, through the Online County Ordinance Code by selecting Title 17 and the appropriate chapter.

Thank you for your assistance in reviewing this application.

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Because you own property located within 1,000 feet of the project site, we would like your opinion of this proposed project. Please list your comments below:

Sorry for the late return, we were out of town till the 15th of Sept. we fully support this project. it has been great for Groveland and the surrounding communities in the past
John + Sandra Stone 21107 Hemlock Street
Your Name(s) *Mountain Lessor Center, 18687 main st.* Mailing Address *Groveland, ca. 95321*

If we do not receive your comments by Friday, September 1, 2017, we will assume that you have no objections.

For additional information relative to this project, please contact me by telephoning (209) 533-5633 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 3:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available on the County website, www.tuolumnecounty.ca.gov, through the Online County Ordinance Code by selecting Title 17 and the appropriate chapter.

Thank you for your assistance in reviewing this application.

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Because you own property located within 1,000 feet of the project site, we would like your opinion of this proposed project. Please list your comments below:

We would argue that this is a positive development that would benefit the town and the community.

	Rabobank, N.A.
Ot Quast	915 Highland Pointe Drive
Manager Corporate Real Estate	Roseville, CA 95678

Your Name(s)

Mailing Address

If we do not receive your comments by Friday, September 1, 2017, we will assume that you have no objections.

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Because you own property located within 1,000 feet of the project site, we would like your opinion of this proposed project. Please list your comments below:

We could not be more thrilled for this project!
Our town needs more events to bring people &
therefore revenue for our town

Jenn Edwards

Your Name(s)

Po Box 787, Groveland 95321

Mailing Address

If we do not receive your comments by Friday, September 1, 2017, we will assume that you have no objections.

For additional information relative to this project, please contact me by telephoning (209) 533-5633 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 3:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available on the County website, www.tuolumnecounty.ca.gov, through the Online County Ordinance Code by selecting Title 17 and the appropriate chapter.

Thank you for your assistance in reviewing this application.

We own Hotel Charlotte + Groveland Hotel

PROJECT: HIRSCH CUP15-009 and CUPH15-003

AGENCY: Tuolumne Heritage Committee

COMMENTS: The parking lot (167 spaces) is our main concern,
primarily from a visual standpoint. Please limit tree removal.
Please require a landscaping plan that will shield the surface and
the parked cars from the viewshed of historic downtown Groveland
which is probably eligible as a National Register Historic District.
See 1988 Historic Sites Survey prepared by Mark Thornton for the
Southern Tuolumne County Historical Society.

PROPERTY OWNERS: All property owners within 1,000 feet of the proposed project will be notified of future public hearings. Property owners do not need to request future notification.

AGENCIES/ORGANIZATIONS ONLY: Please indicate below if you wish to be notified of public hearings scheduled for this project or if you wish to receive notification of the availability of the environmental document prepared for this project. If you do not indicate your preference, we will assume you do not want notification of the hearings or the environmental document.

Public Hearing Notification Yes ☐ No ☐

Notification of availability of the environmental document Yes ☐ No ☐

Signed by: Sharon W. Arnold

Agency: Tuolumne Heritage Committee

Date: 4/1/19

RECEIVED

APR 10 2019

COUNTY OF TUOLUMNE
Community Resources Agency

existing parking areas and a new larger parking area. The majority of the parking spaces will be located in the new larger parking area located on the southeast portion of the site with access from Powder House Road.

The property is zoned C-1 (General Commercial), C-1:H (General Commercial:Historic Combining), RE-1 (Residential Estate, One Acre Minimum) and O (Open Space) under Title 17 of the Tuolumne County Ordinance Code. The proposed uses will occur in the C-1 and C-1:H zoning districts on the site.

The project site is located at 18653 Main Street in Groveland. A portion of Sections 20 and 21, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 07-010-22.

Because you own property located within 1,000 feet of the project site, we would like your opinion of this proposed project. Please list your comments below:

We use our building every Sunday from 9am to 1:30pm and access it from Powder House off Hwy 120. So long as this project, and the events held thereafter, do not interfere with our ability to access our property, 18829 Foote St, Groveland, CA, we have no objection to this proposal.

Groveland Christian Church *PO Box 38, Big Oak Flat, CA 95305*

Your Name(s)

Mailing Address

If we do not receive your comments by Friday, September 1, 2017, we will assume that you have no objections.

For additional information relative to this project, please contact me by telephoning (209) 533-5633 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 3:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available on the County website, www.tuolumnecounty.ca.gov, through the Online County Ordinance Code by selecting Title 17 and the appropriate chapter.

Thank you for your assistance in reviewing this application.

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The project site is located at 18653 Main Street in Groveland. A portion of Sections 20 and 21, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 07-010-22.

Because you own property located within 1,000 feet of the project site, we would like your opinion of this proposed project. Please list your comments below:

Will additional bathrooms, waste baskets, recycling be
included in the plan, pick up and clean up ~~schedule~~
Schedule.

Your Name(s) Carey Rose Hardscastle

Mailing Address

55 Sprentess St
SF CA 94110

If we do not receive your comments by Friday, September 1, 2017, we will assume that you have no objections.

For additional information relative to this project, please contact me by telephoning (209) 533-5633 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 3:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available on the County website, www.tuolumnecounty.ca.gov, through the Online County Ordinance Code by selecting Title 17 and the appropriate chapter.

Thank you for your assistance in reviewing this application.

RE: Hirsch—Historic Conditional Use Permit CUPH15-003 and Use Permit CUP15-009

Assessor's parcel Number 07-010-22

I would like to begin by saying we are not opposed to the project that the Hirsch's are proposing. We feel improvements to our community should be welcomed, but we do have some concerns and/or questions about the proposed parking lot.

We have adjoining property near the newly proposed parking lot that encroaches Powder House Road. We cannot tell from the maps you provided if that encroachment is right across from our property or not. We already have issues with the county maintaining the ditch alongside Powder House Road. Rain water comes off the hill across the roadway and into our property causing flooding because the ditch has not been maintained to carry the water downhill.

The maps do not indicate if the parking lot is to be paved or just remain dirt. Both have issues that need to be addressed.

What improvements are to be made to Powder House Road because it is quite narrow as it winds up the hill? If possible, it seems a better option to access the parking lot is from the road that runs between Mt. Sage and the medical center. It is quite wide and allows you to see oncoming traffic from both directions before turning onto the highway when exiting.

With that large number of cars, should there be two ways to enter and exit the parking lot?

Sincerely,

Robert and Judy McKinnon

APN: 007073-37-00

existing parking areas and a new larger parking area. The majority of the parking spaces will be located in the new larger parking area located on the southeast portion of the site with access from Powder House Road.

The property is zoned C-1 (General Commercial), C-1:H (General Commercial:Historic Combining), RE-1 (Residential Estate, One Acre Minimum) and O (Open Space) under Title 17 of the Tuolumne County Ordinance Code. The proposed uses will occur in the C-1 and C-1:H zoning districts on the site.

The project site is located at 18653 Main Street in Groveland. A portion of Sections 20 and 21, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 07-010-22.

Because you own property located within 1,000 feet of the project site, we would like your opinion of this proposed project. Please list your comments below:

I think the project could be a good thing. However, this can increase the traffic in front of my house. This will bring more people driving too fast in my neighborhood. If this does continue I would like speed bumps put in to lower the driving speeds to keep myself, others, and children safe.

Your Name(s)

Mailing Address

PO Box 434 Big Oak Flat CA 95308

If we do not receive your comments by Friday, September 1, 2017, we will assume that you have no objections.

For additional information relative to this project, please contact me by telephoning (209) 533-5633 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 3:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available on the County website, www.tuolumnecounty.ca.gov, through the Online County Ordinance Code by selecting Title 17 and the appropriate chapter.

Thank you for your assistance in reviewing this application.

existing parking areas and a new larger parking area. The majority of the parking spaces will be located in the new larger parking area located on the southeast portion of the site with access from Powder House Road.

The property is zoned C-1 (General Commercial), C-1:H (General Commercial:Historic Combining), RE-1 (Residential Estate, One Acre Minimum) and O (Open Space) under Title 17 of the Tuolumne County Ordinance Code. The proposed uses will occur in the C-1 and C-1:H zoning districts on the site.

The project site is located at 18653 Main Street in Groveland. A portion of Sections 20 and 21, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 07-010-22.

Because you own property located within 1,000 feet of the project site, we would like your opinion of this proposed project. Please list your comments below:

NO! This project will negatively affect local residents including myself with both noise and traffic. Powderhouse Rd is one lane wide with blind curves & cannot support increased traffic. The existing concerts and activities already cause problems with illegal parking.

Your Name(s)

SHIRLEY ECKHART

Mailing Address

P.O. Box 1118, GROVELAND, CA 9532

If we do not receive your comments by Friday, September 1, 2017, we will assume that you have no objections.

For additional information relative to this project, please contact me by telephoning (209) 533-5633 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 3:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available on the County website, www.tuolumnecounty.ca.gov, through the Online County Ordinance Code by selecting Title 17 and the appropriate chapter.

Thank you for your assistance in reviewing this application.

All proposed activities will be held on a 2.7± acre portion of a 21.0± acre parcel in association with the existing Mountain Sage Nursery and Restaurant. The majority of the parking for the uses proposed would be located off-site on nearby commercial properties under contract arrangements with the business owners.

The property is zoned C-1 (General Commercial), C-1:H (General Commercial:Historic Combining), RE-1 (Residential Estate, One Acre Minimum) and O (Open Space) under Title 17 of the Tuolumne County Ordinance Code. The proposed uses will occur in the C-1 and C-1:H zoning districts on the site.

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Because you own property located within 1,000 feet of the project site, we would like your opinion of this proposed project. Please circle whether you:

FAVOR

OPPOSE (CONDITIONALLY)

HAVE NO OPINION

Please list reasons to support your opinion in the area designated below:

(CONDITION) PARKING - GROVELAND - PRESENTLY DOSE NOT HAVE ENOUGH PARKING FOR 40-50 MORE AUTOS. (PUBLIC PARKING. PRESENTLY) FOR A ONETIME CONCERT 250-500 PEOPLE. ALL OTHER ~~CON~~ IDEAS SEEMS GOOD (Solve the PARKING PROBLE WHERE ALL NARROW STREETS WOULDN'T BLOCK EMERGENCY VEHICLES

Your Name(s) JOSEPH LLANA BYRNIS

Mailing Address POB 115, Big ORK PLATON 95305

If we do not receive your comments by Friday, August 14, 2015, we will assume that you have no objections.

For additional information relative to this project, please contact me by telephoning (209) 533-5633 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 3:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available on the County website, www.tuolumnecounty.ca.gov, through the Online County Ordinance Code by selecting Title 17 and the appropriate chapter.

Thank you for your assistance in reviewing this application.

WE ARE CONCERNED WITH THE LOCATIONS OF THE NEW RESTROOMS #1 OUR SEWER LINE FOR OUR HOUSE AND ITS 12 FT EASEMENT RUNS DIRECTLY BEHIND THE BARN WITH CLEANOUT EVERY 50 FT. ONE CLEANOUT IS CLOSE TO THE NORTHWEST CORNER OF THE BARN AND ITS MARKER STAKE HAS BEEN REMOVED BY MTN SAGE PERSONS #2 THE RESTROOMS ARE VERY CLOSE TO OUR PROPERTY AND WE DO NOT LIKE THE IDEA OF LOOKING AT IT OR SMELLING IT AS OUR HOUSE IS ABOVE THE LOCATION. WE STRONGLY ASK THAT THEY BE MOVED TO A DIFFERENT LOCATION.

THE SEWER LINE EASEMENT OF OURS IS NOT PROPERLY LOCATED ON THEIR MAP ACCURATELY AS YOU WILL SEE LOOKING AT OUR FINAL MAP.

CRAIG & MARY LOUZADER
PO BOX 399
BIL OAK FLAT, CA 95305
APN 007-010-21-00

SUPPORTS A WIDE VARIETY OF WILDLIFE THAT HAS BEEN AFFECTED BY THE AMPLIFIED MUSIC ALSO. MANY OF THE BIRD SPECIES THAT NEST AROUND OUR PROPERTY HAVE ABANDONED THEIR NESTS EACH YEAR AFTER THE MUSIC STARTS UP. WE HAVE MANY NESTS UNDER OUR DECK THIS YEAR THAT HAVE BEEN ABANDONED SINCE THE CONCERTS STARTED.

PARKING IS A HUGE ISSUE AS MOST PEOPLE ARE PARKING ANYWHERE THEY CAN. THEY HAVE BLOCKED OUR DRIVEWAY MANY TIMES OR BLOCKING A LARGE PORTION OF IT SO THAT AN EMERGENCY VEHICLE WOULD NOT MAKE IT UP TO OUR HOUSE. WE HAVE A 25 FT OR 26.3 FT AT GATE. EASEMEN WITH THE 7TH DAY ADVENTIST TO ACCESS OUR PROPERTY FROM THE MEDICAL PARKING LOT WHICH MANY TIMES IS REDUCED TO 10-12 FT OR LESS. THE WEST SIDE OF THE 7TH DAY ADVENTIST DRIVEWAY WAS PAINTED OFF AS A FIRE LANE BUT SINCE THE LAST "SEALCOAT" JOB WAS DONE IT WAS NOT REPLACED OR MARKED OFF ACCORDINGLY. CARS GOING TO THE MOUNTAIN SALES HAVE PARKED IN THE FIRE LANE.

COUNTY OF TUOLAHAMNE
COMMUNITY RESOURCES AGENCY

ATTN RENEE HENDRY
PROJECT PLANNER

WE DO NOT MIND THE EVENTS DURING THE DAY BUT STRONGLY OPPOSE THE AMPLIFIED MUSIC EVENTS AND WE HAVE COMPLAINED TO THE COUNTY ANNUALLY. MY HUSBAND COMMUTES TO WORK 500 PLUS MILE EVERY WEEK AND NEEDS SOME PEACE AND QUIET ON HIS DAYS OFF. THAT IS WHY WE MOVED UP HERE AND BUILT OUR HOUSE. THE CONCERTS HAVE LASTED MANY TIMES PAST 9:30 AT NIGHT, AND THE LAST CONCERT THAT THEY HAD ON A SUNDAY LASTED WELL PAST 9 PM. MY HUSBAND GETS UP FOR WORK AT 3:30 AM SO HE WAS UNABLE TO GET MORE THAN 6 HRS SLEEP. HE IS A MACHINIST HIS JOB REQUIRES AN EXTREME LEVELS OF CONCENTRATION. HE BRINGS PROTOTYPES, DRAWINGS PROJECTS HOME ON THE WEEKENDS THAT HE MUST REVIEW FOR THE UP COMING WEEK AND THE MUSIC HAS BEEN AFFECTING HIS ABILITY TO DO SO. THE MUSIC CONCERTS ARE FAR TO LOUD AND ECHOES DID NOT UP TO OUR HOUSE. OUR PROPERTY

Sharon Lathrop

As an resident of Pine Mt. Lake and owner of a large commercial building right across the street of this proposed site of Groveland, Ca. I also have a rental house right on PowderHouse Street right across from this proposed site. **I oppose** this Hirsch-Historic project #Permit CUPH15-003 & /CUP15-009; Assessor's Parcel # 07-010-22,

I OPPOSE this project for these reasons:

1. There are no showing of any parking places within the maps of this proposed sites for this development. Hirsch-Historic project definitely should not be relying on public parking within Groveland town but incorporate their own development needs with enough parking places for their 250 to 500 people attending to all their own events!!! There is not enough public parking as it is downtown area especially on the weekends. **Hirsch-Historic should be forced to build** in their own needed parking if they want to pursue **this development!!!** This will be safer for all attending their events if Hirsch-Historic have all their own parking; people won't be trying to cross the streets with heavy traffic or walking down an already narrow road with cars parked, and cars trying to leave the events! I can see a huge liability coming in the future!
2. We own the commercial building right across the street with a large parking lot that is for the Groveland Pharmacy, Hair Salon, Dress Store and office. This is not going to acceptable if this new site is planning to use OUR parking lot!!! Our tenants are paying for complete use for their customer needs to park, not outsiders! Many of our tenants are open every day of the week including weekends!!! There is also a cost of maintaining our asphalt parking area & with additional traffic on our parking lot there would be that additional cost on us the owners of our own property!
3. We also own a rental house on PowderHouse St with renters occupying the home for many years, it is showing on the map our house to be right across from this development which also could be a threat to our tenant. I would like to propose if Kirsch-Historic site would like to purchase my property at PowderHouse St. for additional parking I would be up to discuss this with them.
4. Groveland only has a two lane road going through it right now, it already is heavily traveled and takes a lot of time to go through it, especially on weekends during the Spring thru Fall!
5. **I also would recommend TRAFFIC CONTROL FOR ALL NIGHT EVENTS!**
6. **PLEASE DO NOT LET THIS GO THROUGH IF THE HIRSCH'S WILL NOT PROVIDE THEIR OWN PARKING ON THEIR DEVELOPMENT SITE!!!**

Best Regards,
Robert & Sharon Lathrop
P.O Box 646
Groveland, Ca

All proposed activities will be held on a 2.7± acre portion of a 21.0± acre parcel in association with the existing Mountain Sage Nursery and Restaurant. The majority of the parking for the uses proposed would be located off-site on nearby commercial properties under contract arrangements with the business owners.

The property is zoned C-1 (General Commercial), C-1:H (General Commercial:Historic Combining), RE-1 (Residential Estate, One Acre Minimum) and O (Open Space) under Title 17 of the Tuolumne County Ordinance Code. The proposed uses will occur in the C-1 and C-1:H zoning districts on the site.

The project site is located at 18653 Main Street in Groveland. A portion of Sections 20 and 21, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 07-010-22.

Because you own property located within 1,000 feet of the project site, we would like your opinion of this proposed project. Please circle whether you:

FAVOR

OPPOSE

HAVE NO OPINION

Please list reasons to support your opinion in the area designated below:

SEE ATTACHED SHEET !

Robert & SHARON
Your Name(s) LATHROP

P.O. Box 646
Mailing Address GROVELAND, CA
95321

If we do not receive your comments by Friday, August 14, 2015, we will assume that you have no objections.

For additional information relative to this project, please contact me by telephoning (209) 533-5633 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 3:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available on the County website, www.tuolumnecounty.ca.gov, through the Online County Ordinance Code by selecting Title 17 and the appropriate chapter.

Thank you for your assistance in reviewing this application.

RECEIVED

AUG 12 2015

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Because you own property located within 1,000 feet of the project site, we would like your opinion of this proposed project. Please circle whether you:

FAVOR

OPPOSE

HAVE NO OPINION

Please list reasons to support your opinion in the area designated below:

THIS EVENT ALREADY HAS EXTREME ISSUES WITH PARKING AND
EXCESSIVE NOISE WELL PAST 9 PM DURING THE SUMMER.
I SEE NO PLAN FOR PARKING ISSUES AND DO NOT WANT THE NOISE
FROM CONCERTS RIGHT ACROSS THE STREET FROM MY BEDROOM.
SHIRLEY ECKHART PO Box 1118, GROVELAND, CA 95321

Your Name(s)

Mailing Address

If we do not receive your comments by Friday, August 14, 2015, we will assume that you have no objections.

For additional information relative to this project, please contact me by telephoning (209) 533-5633 or by visiting the Community Resources Agency's office located at 48 West Yaney Avenue in Sonora, Monday through Friday between the hours of 8:00 a.m. and 3:00 p.m. Descriptions of the permitted and conditional uses in all zoning districts are available on the County website, www.tuolumnecounty.ca.gov, through the Online County Ordinance Code by selecting Title 17 and the appropriate chapter.

Thank you for your assistance in reviewing this application.

RECEIVED

AUG 07 2015

COUNTY OF TUOLUMNE
Community Resources Agency

WE ARE OPPOSED TO THE CONCERTS WITH THE AMPLIFIED MUSIC IN THE EVENING AND INTO THE NIGHT. IT SHAKES OUR WALLS IN THE HOUSE. THERE IS A LOT OF YELLING & SCREAMING THAT GO ON AT THE CONCERTS. IT IS NOT RIGHT FOR US TO BE EXPOSED AND OVERWHELMED BY IT TO THE POINT WE HAVE TO LEAVE OUR HOUSE. EVEN THE WILDLIFE AND BIRDS LEAVE FOR WEEKS AFTER THEIR MUSIC EVENTS. SO HOW IN THIS ECO-FRIENDLY WE OBJECT TO THE PARKING LOT ACROSS FROM US FOR SAFETY REASONS AND CONCERNS. WE STRONGLY OBJECT TO THE AMPLIFIED MUSIC AND THE UNCONTROLLED ^{UNCONTROLLED} CONDITIONS THAT GO WITH IT.

Craig and Mary Louzader
P.O. BOX 399
Big Oak Flat, CA
95305

WE HAVE CONCERNED ABOUT OUR
SAFETY BECAUSE A FIRE TRUCK CAN'T
PASS THROUGH ALL THE PARKED CARS
IN THE MEDICAL PARKING LOT. HOW CAN
ALL THOSE CARS THAT PARK IN THE
PROPOSED PARKING LOT ON POWDERHOUSE
ROAD GET OUT OF THAT ONE LANE ROAD.
IN CASE OF EMERGENCY. OR HOW CAN
FIRE PERSONAL ACCESS IT IF SOMETHING
GOES WRONG AND WE HAD A FIRE.

IN THE PAST MANY PEOPLE HAVE
WANDERED ON OUR PROPERTY DURING
A CONCERT AND HAVE CAME UP TO
OUR HOUSE. SO WHAT IS GOING TO
KEEP MORE PEOPLE FROM WANDERING ON
OUR PROPERTY FROM THE PROPOSED FOOT
PATH FROM THE PROPOSED PARKING LOT.
ITS BEEN A PROBLEM WITH EVERY
CONCERT IN THE PAST IN REGARDS TO
OUR PEACE & QUIET AND EVERYDAY LIFE
ON THE WEEKEND WHEN THE CONCERTS
HAPPEN. PEOPLE OF THE CONCERTS
URINATE AND DEFACATE BY OUR GATE. WE
CAME HOME ONE EVENING AND SAW
THIS HAPPEN. THE DAY AFTER THE PARKING
IS LITTERED WITH GARBAGE BY OUR
GATE. WHO IS RESPONSIBLE FOR THIS.

WE DON'T OBJECT TO THEIR ECO FEAST
OR THEIR FARMERS MARKETS.

AUG 21 - 2017

COMMUNITY RESOURCES AGENCY

TO RENEE HENDRY

RE: HIRSCH-HISTORIC CONDITIONAL USE
PERMIT CUP 15-089

WE HAVE OBJECTED TO THIS MANY
TIMES IN THE PAST BECAUSE OF HOW
LOUD THE CONCERTS ARE. NOW OVER
100 TREES HAVE BEEN REMOVED BETWEEN
OUR HOUSE AND THEIR PROPERTY BECAUSE
OF THE BACK BEETLES. NOW IT WOULD
BE EVEN LOUDER. WE MOVED UP HERE
FOR PEACE AND QUIET. NOT TO BE
BOMBARDED WITH AMPLIFIED MUSIC.
MY HUSBAND HAS TO GO TO BED AT 7 PM
ON SUNDAY NIGHT AS HE GETS UP AT
3:15 AM TO COMMUTE TO WORK. IN THE
PAST THEY HAVE PLAYED MUSIC PAST
9 PM ON SUNDAY WHICH ONLY GIVES HIM
5 TO 6 HOURS SLEEP. SOMEONE CAME
OUT HERE FROM THE COUNTY AND TOOK
A MEASURE OF THE SOUND AND IT WAS
TO LOUD. AT A CONCERT OUR DRIVEWAY
IS BLOCKED BY CARS WHEN WE TRY
TO COME HOME AFTER WE HAD TO LEAVE
BECAUSE OF THE LOUD MUSIC.

8
Peace and Quiet, Not concert Atmosphere
w/ kids, UNREIGNED out of control HUMAN BEHAVIOR
JUST Quiet MOUNTAIN LIFE - Leave it for
the cities.

Sincerely,
The LOUZADER
Family

18655 Hwy 120

(209) 962-0829

RECEIVED

APR 12 2019

COUNTY OF TUOLUMNE
Community Resources Agency

RECEIVED

APR 12 2013

9

COUNTY OF TUOLUMNE
Community Resources Agency

- ④ the FIRE DANGER that we all live in is extremely Dangerous. more people-party goers, there Lack of safety as they do what they do can jeopardize the whole community. the Lack of good EVACUATION from the proposed parking lot in case of a fire would be chaos if something were to occur.
- ⑤ WILDLIFE RECOVERY will be continuously effected as they are pushed out from one of these concert events due to the noise level-people etc as has ALWAYS happened in the PAST. DAYS OR weeks with very little animal activity
- ⑥ CRAIG'S Rest & recuperation that he needs on the wknds from the demands of working - getting up so early and getting home late in the evening to support his family. He values his wknd time with our family - His family. He cherishes the family time with the utmost regard to us on the weekends

please Leave the EVENTS for the Amphitheatre stage area in MARY LAREDO PK Community Area that is what its purpose was for too. I WAS ALREADY ESTABLISHED for these kind of events. please Leave these kind of PROPOSED EXPANSIONS for the larger towns to "iron out" our small peaceful communities need to remain as such - that is why we choose to live here please Don't Let our small community ~~become~~ become another "Lost Paradise" that once was. please, take our concerns to heart. we moved here and live here for

But the music events are UNACCEPTABLE to our own health and well being. AS FAR AS the EXPANDED PARKING Lot ABOVE the AMBULANCE CLINIC, it's ALSO A MAJOR CONCERN especially when it comes to FIRE SAFETY & EVACUATION FROM their proposed ENTRANCE thru the MEDICAL CLINIC Ambulance properties. their 100 plus PARKING SPACES will make things EXTREMELY DANGEROUS. IF there WAS A FIRE, which we ARE IN A CRITICAL HABITAT FOR, How WOULD that many VEHICLES get OUT OF there in A SHORT AMOUNT OF TIME OR US IF there WERE that many OR MORE, all AT the SAME TIME EVACUATING such AN EVENT? the proposed ENTRY/EXIT WITHOUT USING POWDERHOUSE Rd WOULD BE A NIGHTMARE. we ARE OPPOSED to this PROJECT BECAUSE:

- ① OUR OWN WIND PEECE AND TRANQUILITY WILL BE GREATLY REDUCED FORCING US TO LEAVE WHEN THESE EVENTS OCCUR - FAR FROM FAIR TO US AS PROPERTY OWNERS ADJACENT TO THEM, OR BE EXPOSED TO STRANGERS WANDERING AROUND OUR OUR PROPERTY POSSIBLY JEOPARDIZING OUR OWN SAFETY DUE TO THEIR BEHAVIOR
- ② OUR GRANDDAUGHTER'S HEALTH MAY OR WILL COME INTO JEOPARDY ALSO WITH MORE SEIZURES DUE TO THE LACK OF PEECE AND TRANQUILITY DUE TO THE NOISE LEVELS ETC.
- ③ OUR HOME-PROPERTY VALUE WILL BE GREATLY DIMINISHED IF we WERE TO TRY TO SELL IT, WHO WANTS TO BUY A HOME OR PROPERTY ABOVE A CONCERT HALL

RECEIVED

APR 12 2013

COUNTY OF TUOLUMNE
Community Resources Agency

the peace and quiet we have up here, the quiet family wknds are cherished and enjoyed by all of us. we sit outside in the evenings together BBQ'ing, listening and watching mother nature come alive, the birds singing, animals passing thru grazing etc, it is beautiful to observe with ALL of us together. When the concerts have occurred in the past the wildlife world disappears for wks., the framework of the peacefulness is gone. Our 14 year old granddaughter lives with us, she has a disability, seizures. The peacefulness of our place is an important factor in her health & well being. Our house is only a couple hundred feet from the current mt sage concert area in it's current location, the noise level is unreal. Expanding it will further make our wknd life unbearable, mt n sage is located on the most western - south western side as you enter into Groveland a small valley entering into the "Bowl" of Groveland and my house sits directly above them. The noise is amplified tremendously. We had to remove 150+ bark beetle pines and cedars killed, all large trees, last year ~~that~~ between our property and theirs, that had prior before their removal cushioned the noise a little but now there is nothing to break the sound up at all. We should not have to suffer and forsake our own peace of mind on the wknds. We do not mind the Farmers Mkt or the other events

Response to HARSH PROPOSAL
APR # 007-010-22

①
COUNTY OF TULUMINE
Community Resources Agency

APR 12 2019

RECEIVED

to whom it may
concern:

we are totally AGAINST MTN SAGE
HAVING CONCERTS. We moved up here 18 YEARS
AGO to get AWAY FROM ALL OF THE HUSTLE AND
BUSTLE OF what used to be a small farming
town that expanded and grew out of proportion
to what it WAS, the Quiet peaceful town WAS NO
LONGER that. We moved up here for the Quiet
and peace OF MTN LIFE. CRAIG gets up at 3:15 AM
AND does NOT RETURN until 6:30-7:00 PM. His
time OFF WORK on the WKNDs here is his
Solitude AND Rest time, again that is why we
moved up here in the FIRST PLACE, to ENJOY
OUR FAMILY time in peace and Quiet. MTN SAGE
HAS HAD many UNPERMITTED CONCERTS in the PAST
that HAVE Literally Ran us out OF OUR OWN
home Because OF How Loud they were, the
house POUNDING, PICTURES FALLING OFF the WALLS.
Our peace and tranquility Ruined, they ARE FAR
to Loud. we've had concert PATROWS ROAMING
AROUND ON OUR property, URINATING ON OUR ROAD IN
PLAIN sight, DRINKING and USING DRUGS OPENLY, UNDER
the influence OF who knows what, walking up
to OUR House. We ARE FORCED to Leave our house
when these events OCCURE, Just so we COULD
NOT be exposed to the noise level and out
OF control PATROWS, it is NOT ALL OF them OF COURSE
But there HAVE BEEN many OF them ON many
OCCASIONS, the SHERIFF Dept WAS called more
than ONCE, OUR CHILDREN and GRANDCHILDREN
come on the WKNDs FROM the city to ENJOY

PROJECT: HIRSCH CUP15-009 and CUPH15-003

AGENCY: Groveland Christian Church

COMMENTS: We strongly recommend that Powder House Road not be used as ingress for this project, but rather the driveway west of the Groveland Medical Clinic (which is the preferred driveway access to the new parking area.). Using a driveway access from Powder House Road would very adversely affect our Sunday activities.

PROPERTY OWNERS: All property owners within 1,000 feet of the proposed project will be notified of future public hearings. Property owners do not need to request future notification.

AGENCIES/ORGANIZATIONS ONLY: Please indicate below if you wish to be notified of public hearings scheduled for this project or if you wish to receive notification of the availability of the environmental document prepared for this project. If you do not indicate your preference, we will assume you do not want notification of the hearings or the environmental document.

Public Hearing Notification

Yes ☒ No ☐

Notification of availability of the environmental document

Yes ☒ No ☐

Signed by: Donald O. Lipe

Agency: GROVELAND CHRISTIAN CHURCH

Date: 4-10-2019

RECEIVED

APR 16 2019

COUNTY OF TUOLUMNE
Community Resources Agency

Initial Study/Mitigated Negative Declaration
HIRSCH
CONDITIONAL USE PERMIT CUP15-009
AND
HISTORIC CONDITIONAL USE PERMIT CUPH15-003



Lead Agency:
Tuolumne County
Community Resources Agency
48 Yaney Street
Sonora, California 95370
209-533-5633
www.tuolumnecounty.ca.gov

Application Submitted: July 23, 2015

Application revised: August 1, 2017 and deemed complete

Application revised again on March 26, 2019

Conditions signed August 26, 2019

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

DATE: August 27, 2019

SURFACE/MINERAL

RIGHTS OWNERS/ Regina Hirsch
Fertile Grounds Coffee LLC.

APPLICANT: Regina Hirsch

PROJECT

- DESCRIPTION:**
1. Conditional Use Permit CUP15-009 to allow the following:
 - A. Up to 14 outdoor music concerts, weddings or other seasonal events from April through October with amplified music, vendors and food service.
 - B. Non-certified Famer's Market held from Memorial Day through Labor Day on Friday afternoons, approximately 3 p.m. until 6 p.m. and Saturdays 8 a.m. until 1 p.m.
 - C. Farm Stand to be operated by co-op members for the sale of locally grown produce and cottage food products.
 2. Historic Use Permit CUPH-003 to allow the following:
 - A. Conversion of an existing historic barn to allow classes, lectures, workshops, and other community events periodically throughout the year.
 - B. Conversion of an existing historic residence into a restaurant and retail store.

The property is 21± acres in size. The site is zoned C-1 (General Commercial), C-1:H (General Commercial:Historic Combining), RE-1 (Residential Estate, One Acre Minimum) and O (Open Space) under Title 17 of the Tuolumne County Ordinance Code. The proposed uses will occur in the 2.7± acre portion of the site zoned C-1 and C-1:H.

LOCATION: The project site is located at 18653 Main Street (State Highway 120) in Groveland, approximately 400 feet west of the intersection of Highway 120 and Powder House Street. A portion of Sections 20 and 21, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 07-010-22. Supervisorial District 4.

SITE

DESCRIPTION: The project site is located on the south side of State Highway 120. A portion of the property fronts on State Highway 120. The eastern boundary of the property fronts onto and runs parallel to Powder House Street.

The property is currently improved with one residence, a barn and accessory sheds. The residence is being used for the Mountain Sage nursery and café. The barn is located on the northern portion of the property. A small event stage is also located on the site along with a garden area. Outside dining is allowed in the garden area in association with the café. A short section of an intermittent stream, named Garrotte Creek, runs along the northern portion of the project site, adjacent to State Highway 120. A stone powder house is located along Powder House Street in the southeast portion of the site, which was built to store explosives used in area mining and is thought to have been constructed by Louis Cassaretto and Clyde Smith in 1904.

Two gravel parking areas are located on the site, one accessed from State Highway 120 and the other to the southeast of the Mountain Sage building, which is accessed from the driveway to the Groveland Medical Clinic. The existing parking areas can accommodate up to 20 vehicles. The parking area onto State Highway 120 does not currently have a paved encroachment onto the highway.

Elevations on the project site range from approximately 2,850 feet near State Highway 120, to 3,000 feet above mean sea level in the southeast portion of the site. Slopes range from 10% near the northern property boundary to 28% near the southeast property boundary. The Tuolumne County Wildlife Maps indicate that the wildlife habitat on the project site consists of ponderosa pine (ppn) and residential park (rsp). Vegetation consists of canyon live oaks, California black oaks, ponderosa pine, cedars, ornamental vegetation and annual grassland.

Open Space zoning is located 50-feet in width from the western property boundary. Due to the proximity of the highway, Open Space zoning is only 10-feet from the centerline of Garrotte Creek. Open Space is also located 15-feet surrounding the stone powder house structure. The :H (Historic Combining) zoning district is located 15 feet from the exterior walls surrounding both the barn and the Mountain Sage building. The zoning districts were placed on the site in 2003 for Tentative Parcel Map 03T-04, which created the current configuration of the project site.

The project site is bounded by parcels with the following zoning classifications and General Plan Land use designations:

Assessor's Parcel Number	General Plan	Zoning	Direction
07-070-05	GC	C-1	Northeast
07-070-06	GC	C-1	Northeast
07-070-03	GC	C-1	Northeast
07-070-02	GC	C-1	Northeast
07-073-19	C-O	C-O	East
07-073-37	LDR	RE-1	East
07-073-41	LDR	R-1	East
07-073-33	LDR	R-2	East
07-080-08	LDR	R-1	Southeast
07-010-18	ER	RE-2	Southeast
66-030-13	AG	AE-37	South
07-010-21	LDR & GC	RE-1 & O	West
07-100-12	BP & GC	BP:MX & C-1:MX	Northwest

Legend:

C-1 -- General Commercial	GC -- General Commercial
C-O -- Neighborhood Commercial	C-O -- Neighborhood Commercial
R-1 -- Single Family Residential	LDR -- Low Density Residential
R-2 -- Medium Density Residential	ER -- Estate Residential
RE-1 -- Residential Estate, One Acre Minimum	AG -- Agricultural
RE-2 -- Residential Estate, Two Acre Minimum	
O -- Open Space	
AE-37 -- Exclusive Agricultural, Thirty Seven Acre Minimum	

**DETAILED
PROJECT
DESCRIPTION:**

On July 23, 2015, an application was received from the property owners. The project was revised on August 1, 2017 and again on March 26, 2019 for the following:

1. Conditional Use Permit CUP15-009 to allow the following:
 - A. Up to 14 outdoor music concerts, weddings or other seasonal events from April through October. Amplified music, vendors and food service will be on-site during the events. Most of the events will be held in the afternoon and run into early evening. An existing stage, near the northern property boundary, is proposed to be expanded to become 35 feet x 45 feet, with an attached overhead weather roof. A terraced seating area will be expanded in front of the stage to support a maximum of 500 people at any event.
 - B. Non-certified Farmer's Market held from Memorial Day through Labor Day on Friday afternoons from 3 p.m. until 6 p.m. and Saturdays 8 a.m. until 1 p.m. Children's activities, food service and live music will also be on-site. Expected attendance is 20-30 people at any one time, with a total of 250 coming and going over the weekend event.
 - C. Farm Stand to be operated by co-op members for the sale of locally grown produce and cottage food products.
2. Historic Conditional Use Permit CUPH-003 to allow the following:
 - A. Conversion of an existing historic barn to allow classes, lectures, workshops, and other community events throughout the year, including new exterior windows and doors. The barn is located in the C-1:H (General Commercial:Historic Combining) zoning district on the site. The historic building code will be utilized to retain exterior historical aspects of the barn.
 - B. Conversion of an existing historic residence into a restaurant and retail store, including exterior modifications. The residence is located within the C-1:H zoning district.

Vendors will be on site during events with booths displaying products for the public to improve their quality of life and live more sustainably. Live music and food service will be on-site during all the events.

The project also includes the construction of an on-site 167 space parking lot located in the north eastern portion of the site, adjacent to Powder House Street. Event parking will either utilize Powder House Street or a new access driveway from State Highway 120 to the new parking lot.

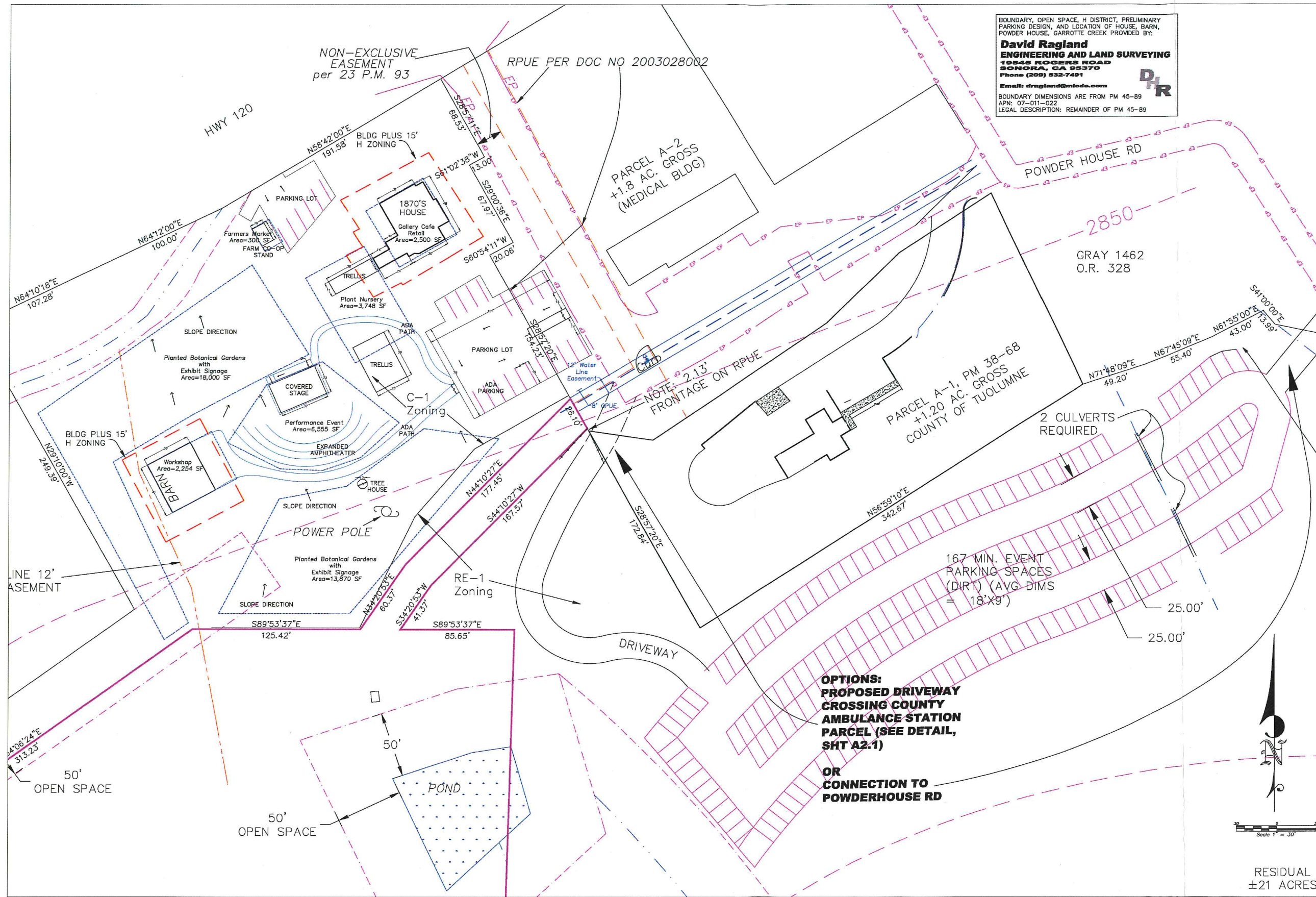
If the project utilizes Powder House Street to access the new parking lot, this street would need to be widened to Tuolumne County Title 11 standards. A pedestrian walkway was previously proposed, through the County owned ambulance building property, to connect the new parking area to the event area of the site. The pedestrian walkway easement was approved by the Tuolumne County Board of Supervisors in a previous BOS action.

If the project does not utilize Powder House Street to access the new parking lot, a new driveway will be constructed from the Groveland Medical Center driveway, through the northwest corner of the County Ambulance Building parcel, in order to

access the proposed 167 space parking lot on the project site. The County can grant an easement for this use subject to an agreement between the project proponents and the County.

Other Agency Approvals (Public Resource Code Section 21080.3.1 Consultation):

- Office of Parks and Recreation/State Historic Preservation Officer – Reviews the project for compliance with Section 106 of the National Historic Preservation Act.
- California Department of Fish and Wildlife (CDFW) –Reviews/approves project for compliance with applicable rules and regulation, specifically impacts to sensitive plant, animal, and wetland/riparian habitat. Collects CDFW filing fee for review of project environmental document.
- California Department of Transportation (Caltrans) - Encroachment Permit onto State Highway 120
- Tuolumne County—grant of easement for use of pedestrian walkway on County owned property.



BOUNDARY, OPEN SPACE, H DISTRICT, PRELIMINARY PARKING DESIGN, AND LOCATION OF HOUSE, BARN, POWDER HOUSE, GARROTTE CREEK PROVIDED BY:
David Ragland
ENGINEERING AND LAND SURVEYING
19545 ROGERS ROAD
SONORA, CA 95370
Phone (209) 832-7491
Email: dragland@mloda.com
BOUNDARY DIMENSIONS ARE FROM PM 45-69
APN: 07-011-022
LEGAL DESCRIPTION: REMAINDER OF PM 45-69

CUP PLAN, PROPOSED, 30 SCALE 03/21/19	OWNER: REGINA AND ROBB HIRSCH 22253 FERRETTI ROAD GROVELAND, CA 95321 ASSESSOR'S PARCEL NUMBER 07-010-22	PLANS PREPARED BY AJA BULLA-RICHARDS LANDSCAPE AND ARCHITECTURAL DESIGNER SIERRA WATERSHED PROGRESSIVE	A2.2
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SITE PLAN AND PARKING AREAS

ENVIRONMENTAL EVALUATION

TERMINOLOGY DEFINITIONS: The following terminology is used in this environmental analysis to describe the level of significance of potential impacts to each resource area:

- **Potentially Significant Impact.** This term applies to adverse environmental consequences that have the potential to be significant according to the threshold criteria identified for the resource, even after mitigation strategies are applied and/or an adverse effect that could be significant and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared consistent with CEQA.
- **Less-than-Significant Impact with Mitigation.** This item applies to adverse environmental consequences that have the potential to be significant, but can be reduced to less-than-significant levels through the application of identified mitigation strategies that have not already been incorporated into the proposed project.
- **Less-than-Significant Impact.** This term applies to potentially adverse environmental consequences that do not meet the significance threshold criteria for that resource. Therefore, no mitigation measures are required.
- **No Impact.** This term means no adverse environmental consequences have been identified for the resource or the consequences are negligible or undetectable. Therefore, no mitigation measures are required.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Agriculture and Forestry Resources	<input checked="" type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Geology/Soils
<input checked="" type="checkbox"/> Greenhouse Gas Emissions	<input checked="" type="checkbox"/> Hazards & Hazardous Materials	<input checked="" type="checkbox"/> Hydrology/Water Quality
<input checked="" type="checkbox"/> Land Use/Planning	<input checked="" type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Noise
<input checked="" type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Public Services	<input checked="" type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Transportation/Traffic	<input checked="" type="checkbox"/> Tribal Cultural Resources	<input checked="" type="checkbox"/> Utilities/Service Systems
<input checked="" type="checkbox"/> Mandatory Findings of Significance		

DETERMINATION (To be completed by the Lead Agency) on the basis on the initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent, and a MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, an

ENVIRONMENTAL IMPACT REPORT is required.

- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION, pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

David Gonzalves, CBO
Environmental Coordinator

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier

document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

I. **AESTHETICS:**

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Substantially degrade the existing visual quality of a hillside or hilltop?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting:

Visual or aesthetic resources are generally defined as the natural and built features of the landscape that can be seen. The combination of landform, water, and vegetation patterns represents the natural landscape that defines an area's visual character, whereas built features such as buildings, roads, and other structures reflect human or cultural modifications to the landscape. These natural and built landscape features or visual resources contribute to the public's experience and appreciation of the environment. Depending on the extent to which a project's presence would alter the perceived visual character and quality of the environment, visual or aesthetic impact may occur. It should be noted that visual change in and of itself does not necessarily represent an adverse impact, and in some cases may result in a beneficial visual effect.

The aesthetic analysis is based on field observations and the review of information including site maps, drawings, technical data, and aerial and ground level photographs of the area. In addition, as part of this study, planning documents pertinent to visual quality including the Tuolumne County General Plan were reviewed. The analysis also responds to the California Environmental Quality Act (CEQA) guidelines for visual impact analysis as well as the goals, programs, and implementation programs outlined in the Tuolumne County General Plan and the Tuolumne County Ordinance Code.

Accepted visual assessment methods, including those adopted by federal agencies, establish sensitivity levels as a measure of public concern for changes to scenic quality. Viewer sensitivity, typically divided into high, moderate, and low categories, is among the criteria employed for evaluating visual impacts and their degree of significance. The factors considered in assigning a sensitivity level include viewer activity, view duration, viewing distance, adjacent land use, and special management or planning designation. Research on the subject suggests that certain activities tend to heighten viewer awareness of visual and scenic resources, while others tend to be distracting.

Potentially affected viewers in the subject area include roadway motorists and residents. Motorists represent the largest of the affected viewer groups. Included in this group are motorists traveling on State Highway 120 and Powder House Street, in Groveland. On Powder House Street, motorists' views are screened by slopes

and vegetation. Viewer sensitivity is considered low to moderate. The second viewer group includes residents in the area of the project site. Residential views tend to be long in duration, and the sensitivity of this viewer group is considered moderate to high.

Analysis:

The project site contains the Mountain Sage Nursery and Café, located within an 1870's house, a barn and accessory sheds. A small gravel parking area is located to the northwest of Mountain Sage, adjacent to State Highway 120. A second parking area is located to the northeast, not visible from State Highway 120. A new 167 space parking area is proposed in the southeast portion of the site, which would not be visible from State Highway 120 due to the presence of Ponderosa pine trees, slope and structures. Vegetation consists of canyon live oaks, California black oaks, ponderosa pine, cedars, ornamental vegetation and annual grassland.

The Tuolumne County *Hillside and Hilltop Development Guidelines* were adopted to implement Policy 4.1.4 of the Tuolumne County General Plan. Policy 4.1.4 requires the conservation of the natural scenic quality of hillsides and hilltops throughout Tuolumne County. The *Hillside and Hilltop Development Guidelines* assist property owners with development of hillside and hilltop areas. These guidelines contain recommendations that can assist property owners in designing and constructing improvements in a manner that will conserve the natural scenic quality of the hillsides and hilltops on the project site.

Pursuant to Chapter 15.28 of the Tuolumne County Ordinance Code, a Landscape Plan must be approved for the project prior to the issuance of a Building Permit. Landscaping must cover 10% of the site. A 2.7± acre portion of the 21± acre parcel is being utilized for events. Approximately 0.3± acre project site is required to be landscaped; however, the existing native vegetation and ornamental vegetation currently meets the landscaping requirement and helps to enhance the view of the buildings and associated structures from neighboring properties and passersby on State Highway 120. A Landscape Plan, which can incorporate the retention of existing native vegetation, will be required for the new 167 space parking area.

Exterior lighting would be used in outside patio areas, the concert stage, walkways, near the structures and parking areas. The project will be conditioned to require that exterior lighting will not interfere with motorists traveling along State Highway 120 or shine onto neighboring properties. Lighting shall comply as follows: direct the light downward towards the area to be illuminated, install shields to direct light and reduce glare, utilize low rise light standards, and utilize low or high pressure sodium lamps instead of halogen type lights.

All exterior lighting shall be required to be equipped with automatic timing devices. All outdoor lighting shall be turned off one hour after the concert or event activities conclude at night, except outdoor lighting used for security purposes or to illuminate walkways, and parking lots may remain lighted after these hours when the lighting is activated by a motion sensor. The motion sensor controlled lighting shall turn on when activated and turn off within five minutes of inactivity. The motion sensor activated lighting shall not be triggered by any movement or activity located off the property. Any deviation to these restrictions must be submitted and approved by the Planning Division of the Community Resources Agency.

Based upon implementation of the required mitigation measures below, development of the project site would result in a less than significant impact to aesthetics.

Mitigation Measures:

1. Exterior lighting shall not interfere with motorists traveling along State Highway 120 or shine onto neighboring properties. All lighting shall comply as follows: direct the lighting downward towards the area to be illuminated, install shields to direct light and reduce glare, utilize low rise light standards, and utilize low or high pressure sodium lamps instead of halogen type lights.
2. All exterior lighting shall be required to be equipped with automatic timing devices. All outdoor lighting shall be turned off one hour after the concert or event activities conclude at night, except outdoor lighting used for security purposes or to illuminate walkways, and parking lots may remain lighted after these hours when the lighting is activated by a motion sensor. The motion sensor controlled lighting

shall turn on when activated and turn off within five minutes of inactivity. The motion sensor activated lighting shall not be triggered by any movement or activity located off the property. Any deviation to these restrictions must be submitted and approved by the Planning Division of the Community Resources Agency.

3. Landscaping or the retention of exiting native vegetation shall be required for the new 167 space parking area. A Landscape Plan shall be required which demonstrates an attractive appearance of the new parking area from neighboring properties, Powder House Street and State Highway 120.

Mitigation Monitoring:

1. A Notice of Action will be recorded to advise future owners of the required mitigation measures 1 and 2, and the responsibility to comply with said measures. Community Resources Agency Staff will review Building Permit applications to ensure compliance with the mitigation measures.
2. Mitigation measure 3 shall be required prior to a grading permit or the construction of the new 167 space parking area.

II. AGRICULTURAL AND FORESTRY RESOURCES:

In determining whether the impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997), prepared by the California Department of Conservation, as an optional model to use in assessing impacts on farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land. This includes: Forest and Range Assessment Project, the Forestry Assessment Project and Forest Carbon Measurement methodology provided in Forest Protocols, adopted by the California Air Resources Board.

	<i>Potentially Significant Impact</i>	<i>Less-than- Significant With Mitigation Incorporation</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
Issues and Supporting Information Sources				
Would the Proposed Project/Action:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land, or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

In addition to goals, programs, and implementation programs outlined in the Tuolumne County General Plan, the project was evaluated using the Farmland Mapping and Monitoring program, the Tuolumne County Ordinance Code, and supporting project technical studies identified below.

The project site is located within the unincorporated city of Groveland in Tuolumne County. The 2017 value of agricultural commodities produced in Tuolumne County is estimated at \$37,610,000. This is a 6.1% increase from last year's production value of \$35,440,000. Overall timber production significantly increased 37.0 % primarily due to a tripling dollar value in tree mortality biomass going to our local co-generation plants. Excluding Timber Harvested, agricultural production valued at \$27,012,000 decreased by 2.5% from 2016 values.

Price increases in Hay, Irrigated Pasture, and Rangeland all contributed to an overall Field Crops 10.1% value increase. Miscellaneous Fruit and Vegetables increased in value by 34.0%. At \$21,528,000, the County's leading production category Livestock and Poultry decreased by 4.9% from 2016 values.

California Land Conservation Act

The California Land Conservation Act of 1965 (Williamson Act) enables local governments to enter into contracts with private landowners for preserving agricultural land or related open space uses. Land under agricultural production can have its annual assessed valuation for property tax calculation reduced if the owner agrees to place the land under a Williamson Act contract for 10 years, renewable annually. Local governments receive an annual subvention of forgone property tax revenues from the State via the Open Space Subvention Act of 1971, but these payments were suspended in 2009 as part of the State budget cuts. The Tuolumne County Board of Supervisors voted to continue offering property owner's tax incentives to maintain their agricultural properties in the Williamson Act land conservation program.

Z'berg-Nejedly Forest Practice Act of 1973

The project site is located on private property and as such for actions related specifically to potential impacts from forest resources could be subject to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (FPA) that have been promulgated as the California Forest Practice Rules.

Analysis:

The project site is not designated as agricultural land. There is a 77± acre parcel to the south is designated Agricultural (AG) by the General Plan land use diagrams. All the proposed uses on the project site would be over 200-feet to the north of this agricultural property and would not interfere with agricultural uses. Therefore, approval of the project would not result in an impact on agricultural land.

The project site contains ponderosa pine trees, mainly in the southern portion of the site, which are classified as a commercial timber species of tree by the Division of Forestry. Pursuant to Section 17.52.170 the commercial growing and harvesting of timber encompassing more than three acres is a permitted use in all districts, except O (Open Space) and O-1 (Open Space – 1), provided it is in conformance with the California Practice Rules. Section 17.52.170 of the Ordinance Code also allows for the commercial harvesting of timber when fewer than three acres are affected provided the harvest does not occur within 100 feet of a cultural resource boundary and does not occur within riparian or wetland areas. A Cultural Resource Study was completed in 2003 which identified cultural resources on the project site; however, they are protected by the use of O (Open Space) zoning. A stream is present along the State Highway 120 corridor, which is also protected by O zoning district. A Use Permit can be applied for to allow timber harvesting in the O zoning districts. Therefore, approval of this project would result in no impact on agricultural and forestry resources.

Mitigation Measures: None Required

Mitigation Monitoring: Not Applicable

III. AIR QUALITY:

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Where available, the significance criteria established by the Tuolumne County Air Pollution Control District has been relied upon to make the following determinations. Would the Proposed Project/Action:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

This section describes the impacts of the proposed project on local and regional air quality. It describes existing air quality in the foothills; project related direct and indirect emissions; health effects; and the impacts of these emissions on both the project and cumulative/regional scale.

Air pollution is directly related to a region's topographic features, and the California Air Resources Board. (CARB) has divided California into regional air basins according to topographic air drainage features. The Mountain Counties Air Basin (MCAB) includes Plumas, Sierra, Nevada, Placer (middle portion), El Dorado (western portion), Amador, Calaveras, Tuolumne, and Mariposa Counties. While the MCAB encompasses such an expansive territory, the population of the entire air basin is less than 500,000 (472,991 in 2010). The basin lies along the northern Sierra Nevada Mountain Range, close to or contiguous with the Nevada border, and covers an area of roughly 11,000 square miles.

Elevations range from over 10,000 feet at the Sierra crest down to several hundred feet above sea level at the Stanislaus County boundary. Throughout the MCAB basin, the topography is highly variable, and includes rugged mountain peaks and valleys with extreme slopes and differences in elevation in the Sierras, as well as rolling foothills to the west.

The general climate of the MCAB varies considerably with elevation and proximity to the Sierra ridge. The terrain features of the basin make it possible for various climates to exist in a relatively close proximity. The Sierra Nevada receives large amounts of precipitation in the winter, with lighter amounts in the summer. Precipitation levels are high in the highest mountain elevations but decline rapidly toward the western portion of the basin. Winter temperatures in the mountains can be below freezing for weeks at a time, and substantial depths of snow can accumulate, but in the western foothills, winter temperatures usually dip below freezing only at night and precipitation is mixed as rain or light snow. In the summer, temperatures in the mountains are mild, with daytime peaks in the 70s to low 80s, but the western end of the basin can routinely exceed 100 degrees.

Local Climate and Sources of Air Pollution

The climate in Tuolumne County can be considered Mediterranean with moist and cold winters and warm and dry summers. The mean annual precipitation is 33 to 49 inches (838 to 1,245 millimeters). Mean annual

temperature is 41 to 53 degrees F (5.0 to 11.7 degrees C). The frost-free period is 100 to 150 days.

Table 1. Tuolumne County Designations and Classifications

Pollutant	Designation/Classification	
	Federal Standard	State Standard
Ozone - One hour	No Federal Standard	Nonattainment
Ozone - Eight hour	Attainment/Unclassified	Unclassified
PM 10	Unclassified	Unclassified
PM 2.5	Attainment/Unclassified	Unclassified
Carbon Monoxide	Attainment/Unclassified	Attainment
Nitrogen Dioxide	Attainment/Unclassified	Attainment
Sulfur Dioxide	Unclassified	Attainment
Lead (Particulate)	Attainment/Unclassified	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified
Source: CARB		

- "Inhalable coarse particles (PM2.5-10)," such as those found near roadways and dusty industries, are between 2.5 and 10 micrometers in diameter. PM2.5-10 is deposited in the thoracic region of the lungs.
- "Fine particles (PM2.5)," such as those found in smoke and haze, are 2.5 micrometers in diameter and smaller. These particles can be directly emitted from sources such as forest fires, or they can form when gases emitted from power plants, industries and automobiles react in the air. They penetrate deeply into the thoracic and alveolar regions of the lungs.

The Tuolumne County Air Pollution Control District (TCAPCD) does not meet the state 1-hour standard for ozone or for PM 2.5. The TCAPCD is designated as unclassified for the State PM10 standards, since no PM10 data is available for this area. The District is either in attainment or in an unclassified area for the remainder of the pollutants in Table 1, due to the lack of availability of data. The Mountain Counties Air Basin typically experiences good air quality, however pollution from the Central Valley

Local jurisdictions have the authority and responsibility to reduce air pollution through their policies, codes, and land use planning. The project was evaluated under the California Air Resource Board (CARB) air quality standards and area designations, and the Tuolumne County Air Pollution Control District's thresholds of significance, and the Tuolumne County Ordinance Code and Tuolumne County General Plan.

Analysis:

The U.S. Environmental Protection Agency (EPA) designated Tuolumne County as "attainment/unclassified" for the 2008 8-hour federal ozone standard on July 20, 2012. On April 6, 2015 the EPA revoked the 1997 8-hour ozone standard for all purposes (80 FR 12264). Tuolumne County is "attainment/unclassified" for all other federal ambient air quality standards. With respect to State ambient air quality standards, Tuolumne County is classified as "nonattainment" for ozone and "attainment/unclassified" for all other State standards. The State ozone "nonattainment" status is due to overwhelming transport of ozone precursors from upwind, urban areas.

Grading of the site for the proposed driveway improvements and parking area improvements may create fugitive dust emissions. Since the project is commercial in nature, the project will have to comply with State and local air quality regulations. The project was reviewed by the Tuolumne County Air Pollution Control District who did not provide any comments for the proposed project. The proposed project will be conditioned to mitigate fugitive dust during construction through the use of a watering truck or other dust suppressant device as required by Section 12.20.370 of the County Grading Ordinance.

Gravel used for surfacing the parking areas may be derived from serpentine rock. Serpentine gravel often contains asbestos fibers; asbestos fibers have been linked to lung cancer. Vehicles driving over serpentine gravels bearing asbestos fibers can cause these fibers to become airborne, thereby creating a health risk.

The proposed project will be conditioned to prohibit the use of serpentine gravel unless it is sealed with an unrestricted material to prevent the asbestos fibers from becoming airborne, as required by Section 93106 of the California Health and Safety Code.

The project will not generate significant levels of air pollutants or objectionable odors from the on-site events or other proposed uses.

Based upon enforcement of the County Ordinance Code, approval of the requested entitlements will have no impact on the local or regional air quality. Approval of the project will result in no impact to air quality.

Mitigation Measure: None required.

Mitigation Monitoring: Not applicable.

IV. BIOLOGICAL RESOURCES

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

The project site is located on the south side of State Highway 120. A portion of the property fronts on State Highway 120. The eastern boundary of the property fronts onto and runs parallel to Powder House Street. Elevations on the project site range from approximately 2,850 feet near State Highway 120, to 3,000 feet above mean sea level in the southeast portion of the site. Slopes range from 10% near the northern property boundary to 28% near the southeast property boundary.

The California Native Plant Society (CNPS) maintains a native rare plant list that is utilized for CEQA review purposes. The CNPS has created a ranking system that is placed on a plant, either at the species or sub-species level. The ranking system is:

- 1A: Plants Presumed Extirpated (extinct) in California and Either Rare or Extinct Elsewhere;
- 1B: Plants Rare, Threatened, or Endangered in California and Elsewhere
- 2A: Plants Presumed Extirpated in California, But Common Elsewhere
- 2B: Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere
- 3: Plants Which More Information is needed - A Review List
- 4: Plants of Limited Distribution - A Watch List

In addition, each rank is given a “threat” assessment:

- 0.1-Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
- 0.2-Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
- 0.3-Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)

Analysis:

The Tuolumne County Wildlife Habitat Map for the USGS Groveland 7.5 Minute Quadrangle indicates that the two common wildlife habitat types on the project are ponderosa pine (ppn) and residential-park (rsp). Vegetation consists of canyon live oaks, California black oaks, ponderosa pine, cedars, ornamental vegetation and annual grassland. An intermittent stream known as Garotte Creek traverses the frontage of the project site adjacent to State Highway 120. The habitat types based on the Wildlife Habitat Maps are shown on the table below:

WILDLIFE HABITAT			
Habitat Type	Priority Rating	Approximate Acreage	Percentage of Site
Ponderosa pine (ppn)	3	19±	90%
Residential-park (rsp)	4	2 ±	10%

The ppn habitat is defined as a forest dominated by ponderosa pine, often associated with white fir, incense cedar, sugar pine, Douglas-fir, black oak, canyon live oak, and other trees. Stands may be open to dense, with variable amounts of understory shrubs and herbs. This habitat generally occupies elevations below the mixed conifer type and above the blue oak/foothill gray pine woodlands. The ppn habitat type is considered a Third Priority habitat, as identified in the Tuolumne County Wildlife Handbook.

The proposed parking lot may require removal of ponderosa pine trees. These trees have previously been impacted mainly by the western pine bark beetle (*Dendroctonus brevicomis*); however, other bark beetles have been known to be in the Tuolumne County area. Native vegetation is encouraged to be preserved as much as practicable. The removal of ponderosa pine trees requires a permit or waiver from the California Department of Forestry, since these are a commercial species of trees. The project will be conditioned to meet this requirement.

The rsp habitat is a designation for urbanized areas, including residential, commercial and industrial developments, as well as landscaped parks and gardens. The rsp habitat type is considered a Fourth Priority habitat, as identified in the Tuolumne County Wildlife Handbook. The areas near the existing structures are located within the rsp habitat.

Public Resources Code Section 21083.4 requires oak woodland mitigation for any project where the conversion of oak woodlands results in a significant impact to the environment. The County of Tuolumne in consultation with the California Department of Fish and Wildlife defines an “oak woodland as an area with 10

percent oak canopy cover". The project site has an oak canopy greater than 10%; however, the project will not result in the removal of a significant number of oak trees from the project site; therefore, oak woodland mitigation is not required. One Old growth oak (OGO) tree with a diameter-at-breast height of 36 inches may need to be removed for the placement of a new driveway to serve the new 167 space parking lot. If any OGO trees are removed, the property owner will be required to either replant trees or pay an in-lieu fee. Replanting an impacted oak tree is a standard mitigation measure used by the California Department of Fish and Wildlife (at a ratio of ten trees for every one OGO removed). If the property owner chooses not to replant trees, the in-lieu fees for each impacted tree will be as follows:

Payment of in-lieu fees for replanting = OGOs X number of trees to be planted X \$200.00

In 2003, O (Open Space) was placed on the project site, pursuant to Zone Change 03RZ-004, for a proposed land division to create a 5 acre parcel and a 21 acre remainder, which is the project site. The O zoning mitigated cumulative impacts to wildlife, wetlands and cultural resources. The Open Space consists of 50-feet along the southwestern portion of the project site, 15-feet from the foundation of the Powder House structure and 10-feet from the centerline of Garrotte Creek. No further mitigation for wildlife conservation will be required for the current project.

The California Department of Fish and Game Natural Diversity Data Base (CNDDDB) maps, and the Tuolumne County Wildlife Habitat Maps were consulted for known locations of special status plants or animal species. No known special status species are in the vicinity of the project site.

One driveway crossing exists on Garrotte Creek and will be allowed to be maintained and improved to Title 11 standards. The driveway is currently utilized for the Farmer's Market portion of the site and front parking lot adjacent to State Highway 120. The driveway will require a paved apron which will not impact Garrotte Creek. Any future crossings or disturbance of Garrotte Creek will require a Streambed Alteration Permit from the California Department of Fish and Wildlife.

The proposed events will occur within a previously disturbed area on the project site. The proposed new parking lot will remove commercial species of trees that have previously been impacted by bark beetles. Many trees have already been cleared. Based upon implementation of the required mitigation measures below, development of the project site would result in a less than significant impact to biological resources on the site.

Mitigation Measures:

1. The property owner shall obtain a Timber Conversion Permit and Timber Harvesting Plan or waiver from the California Department of Forestry and Fire Protection prior to the removal of commercial species of timber from the site. The Timber Harvesting Plan or waiver must be prepared by a Registered Professional Forester. It is recommended by the California Department of Forestry and Fire Protection that the Timber Conversion Permit be prepared by a Registered Professional Forester. Copies of the approved Timber Conversion Permit and Timber Harvesting Plan shall be submitted to the Community Resources Agency.
2. If any OGO trees are removed, the property owner will be required to either replant trees or pay an in-lieu fee. Replanting an impacted oak tree is a standard mitigation measure used by the California Department of Fish and Wildlife (at a ratio of ten trees for every one OGO removed). If the property owner chooses not to replant trees, the in-lieu fees for each impacted tree will be as follows:

Payment of in-lieu fees for replanting = OGOs X number of trees to be planted X \$200.00

3. The owner shall submit notification for a Streambed Alteration Permit to the California Department of Fish and Wildlife prior to any work involving any waterways or drainages.

Mitigation Monitoring:

- 1-3. A Notice of Action will be recorded to advise future owners of the required mitigation measures and the responsibility to comply with said measures.

V. CULTURAL RESOURCES:

V. <u>CULTURAL RESOURCES:</u>			<i>Potentially Significant Impact</i>	<i>Less-than- Significant With Mitigation Incorporation</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
Issues and Supporting Information Sources						
Would the Proposed Project/Action:						
a)	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the State CEQA Guidelines?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting:

State and Federal legislation requires the protection of historical and cultural resources. In 1971, the President's Executive Order No. 11593 required that all Federal agencies initiate procedures to preserve and maintain cultural resources by nomination and inclusion on the National Register of Historic Places.

In 1980, the Governor's Executive Order No. B-64-80 required that State agencies inventory all "significant historic and cultural sites, structures, and objects under their jurisdiction which are over 50 years of age and which may qualify for listing on the National Register of Historic Places." Likewise, Section 15064.5(b) of the CEQA Guidelines specifies that "projects that cause the physical demolition, destruction, relocation, or alteration of a historical resource or its immediate surroundings such that the significance of the historic resource would be materially impaired" shall be found to have a significant impact on the environment.

In September of 2014, the California Legislature passed Assembly Bill (AB) 52, which added provisions to the Public Resources Code (PRC) regarding the evaluation of impacts on tribal cultural resources under CEQA, and consultation requirements with California Native American tribes. In particular, AB 52 now requires lead agencies to analyze project impacts to "tribal cultural resources" separately from archaeological resources (PRC §21074; 21083.09). The Bill defines "tribal cultural resources" in a new section of the PRC §21074. AB 52 also requires lead agencies to engage in additional consultation procedures with respect to California Native American tribes (PRC §21080.3.1, 21080.3.2, 21082.3). As of the date of the latest revision of this application, no tribe has requested an AB 52 consultation for this project.

Analysis:

A cultural resource study was conducted on the property by Foothill Resources Limited on June 9, 2003. The project site was studied for both archaeological and architectural resources. The field survey revealed three archaeological features that were considered not eligible for listing in the California Register of Historic Resources and therefore not significant historic resources for the purposes of CEQA. Four historic structures were recorded and evaluated on the property. Foothill Resources Limited stated that three of those structures are eligible for the California Register at the local level of significance, and are therefore considered historic resources under CEQA. These three structures are also listed in the *Big Oak Flat – Groveland Historic Sites Survey* completed in 1988.

The three structures identified on the property are the 1870's Laveroni house (Mountain Sage), the 1920's barn and the powder house. The stone powder house is located along Powder House Street in the southeast portion of the site, which was built to store explosives used in area mining and is thought to have been

constructed by Louis Cassaretto and Clyde Smith sometime around 1904. The recommendation of Foothill Resources Limited is to protect these buildings from exterior alterations that would negatively affect their historic character or setting. In order to protect these structures from exterior alteration, the 1870's home and the 1920's barn were placed into the Historic Combining District (:H) which extends fifteen feet from the foundation of these buildings. Any future modifications to these structures require an application for a Historic Conditional Use Permit. The third structure, the powder house, has been included in Open Space zoning which extends fifteen feet from its foundation. Historic Conditional Use Permit CUPH15-003 proposes modifications to the Laveroni house and barn. The modifications require Building Permits, which must be reviewed by the Historic Preservation Review Commission prior to issuance pursuant to Section 14.06.030(E) of the Tuolumne County Ordinance Code.

Should an inadvertent discovery of cultural materials is made during project related ground disturbing activities, ground disturbances in the area of the find must be halted and a qualified professional archaeologist must be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant and develop appropriate mitigation pursuant to Section 14.10.150 of the Ordinance Code.

Mitigation Measures: Submit plans for past and proposed structural modifications to the 1870s Laveroni house (Mountain Sage) and the 1920s barn, to the Building and Safety Division of the Community Resources Agency. The plans shall be reviewed by the Historic Preservation Review Committee prior to issuance of the Building Permits pursuant to Section 14.06.030(E) of the Tuolumne County Ordinance Code.

Mitigation Monitoring: The plans and Building Permit applications must be submitted within 60 days of approval of Historic Conditional Use Permit CUPH15-003.

VI. GEOLOGY AND SOILS:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than-Significant With Mitigation Incorporation	Less-than-Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

The purpose of this section is to disclose and analyze the potential impacts associated with the geology of the project site and regional vicinity, and to analyze issues such as the potential exposure of people and property to geologic hazards, landform alteration, and erosion.

The project is located in central California, which is a region known to have limited fault zones and seismic activity. In the Groveland area, the major natural hazards include wildfires and flooding.

In addition to the Tuolumne County General Plan and Ordinance Code, the project was evaluated using the Tuolumne County Multi-Jurisdiction Hazard Mitigation Plan, the USDA/CDF Cooperative Soil-Vegetation Survey of Tuolumne County, and the California Geological Survey's geotechnical maps.

Groundshaking: The Alquist-Priolo Earthquake Fault Zoning Act was signed into California law on December 22, 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards. The Act only applies to structures for human occupancy (houses, apartments, condominiums, etc.)

Soils and Liquefaction: Liquefaction is a process whereby soil is temporarily transformed to a fluid form during intense and prolonged groundshaking. Areas most prone to liquefaction are those that are water saturated (e.g., where the water table is less than 30 feet below the surface) and consist of relatively uniform sands that are low to medium density. In addition to necessary soil conditions, the ground acceleration and duration of the earthquake must be of sufficient energy to induce liquefaction.

Landslides: Landslides are a primary geologic hazard and are influenced by four factors:

- Strength of rock and resistance to failure, which is a function of rock type (or geologic formation);
- Geologic structure or orientation of a surface along which slippage could occur;
- Water (can add weight to a potentially unstable mass or influence strength of a potential failure surface); and,
- Topography (amount of slope in combination with gravitation forces).

Expansive Soils: Soils have the potential to shrink or swell significantly with changes in moisture content are called expansive soils. These soils can limit the development capacity of an area, and may require significant construction modifications and excavation to replace existing materials with more stable soils. The amount of expansion (or contraction) of a soil is determined by the type and amount of the silt and clay content in the soil. Structural damage to buildings on expansive soils may result over long periods of time, usually from inadequate soils and foundation engineering, or the placement of structures directly on expansive soils.

Seiche: A seiche is a wave in a reservoir, lake, or harbor that is seismically-induced. These waves have potential to damage shoreline structures, dams, and levees. The likelihood of damage from a seiche in Tuolumne County is a low concern. The effects from a seiche would be similar to the flood hazard for a particular area, and the risk of occurrence is perceived as being considerably less than the risk of flooding.

Analysis:

The project site has been located on the Tuolumne County Geotechnical Interpretive Map for the USGS Groveland Minute Quadrangle. This map indicates that no known geological hazards occur on the property. The slopes on the project site are considered to be stable pursuant to the Map.

Approximately half of the project site is classified as urbanized or industrial (Ui) on the USDA/CDF Cooperative Soil-Vegetation Survey Maps. As such, the onsite soils within this portion of the project site have not been analyzed. The USDA/CDF Cooperative Soil-Vegetation Survey Map for the USGS 7.5 Minute Groveland Quadrangle has classified the southeast portion of the site as the Josephine schist soil series.

Soil Type: Josephine Schist 815m							
Parent Material	Depth Range	Slope Range	Permeability	General Drainage	Erosion Hazard	Timber Suitability	Range Suitability
Meta-Sedimentary	0-40 inches	0-30%	Moderate	Well	Slight	Low to Very High	Medium

Slopes on the site range from 10 percent to approximately 25 percent. Areas with fractured and steep slopes, where less consolidated or weathered soils overlie bedrock, have a higher risk of landslides. Given the soil type on this site, the risks are substantially lower for a landslide to occur on the project site. The most prominent slope running through the project site is approximately 25 percent, and is located in the southern portion of the site. No structures or events will occur on slopes greater than 15 percent.

Grading for driveway and parking area improvements will be reviewed by the Engineering Division and the Building and Safety Division of the Community Resources Agency. Grading necessary to construct these improvements would not result in a significant impact on the soil resources provided all grading and excavation on the site adheres to the requirements contained in Chapter 12.20 of the Ordinance Code pertaining to grading.

The project site is not subject to earthquakes, landslides, or subject to a substantial loss of topsoil. The site is not located on an unstable geologic unit or contains expansive soil. While the site could sustain an on-site sewage disposal and treatment systems, the site has public water and sewer through the Groveland Community Services District.

The project will not expose people or structures to adverse effects such as earthquakes, landslides, substantial erosion, unstable slopes, expansive soils, or other adverse geological impacts.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

VII. GREENHOUSE GAS EMISSIONS:

Issues and Supporting Information Sources

<i>Potentially Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporation</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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Would the Proposed Project/Action:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Environmental Setting:

Global warming is a term used to refer to the observed increase in the average temperature of the Earth's atmosphere and oceans in recent decades. Science is not unanimous about the cause of global warming. There is some science that suggests this is a cyclical phenomenon that has repeated itself over history (counteracted by periods of global cooling) and is therefore related to many naturally occurring events. However, there is other science that suggests that global warming may be related to increasing greenhouse gas concentrations in the atmosphere, specifically as a result of human activities, such as the consumption of fossil fuels for electricity production and transportation.

Gases that trap heat in the atmosphere are called greenhouse gases (GHGs). The effect is analogous to the way a greenhouse retains heat. Common greenhouse gases include water vapor, carbon dioxide, methane, nitrous oxides, chlorofluorocarbons, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, ozone, and aerosols. Both natural processes and human activities emit greenhouse gases.

Greenhouse gases are emitted by both natural processes and human activities. Of these gases, CO₂ and CH₄ are emitted in the greatest quantities from human activities. Emissions of CO₂ are largely by-products of fossil fuel combustion, whereas CH₄ results from off-gassing associated with agricultural practices and the decomposition of organic materials within landfills. Man-made GHGs, which have a much greater heat-absorption potential than CO₂, include fluorinated gases, such as hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfur hexafluoride (SF₆), which are byproducts of certain industrial processes. Plants use carbon dioxide and water in photosynthesis and releases oxygen as a waste product. Humans use this oxygen to breathe and produce CO₂ as a byproduct of respiration.

The different types of GHGs have varying global warming potentials (GWPs). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere. Because GHGs absorb different amounts of heat, a common reference gas, usually carbon dioxide, is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as “CO₂ equivalent,” and is the amount of a GHG emitted multiplied by its GWP. Carbon dioxide has a GWP of one. By contrast, methane (CH₄) has a GWP of 21, meaning its global warming effect is 21 times greater than carbon dioxide on a molecule per molecule basis.

Table 1
Global Warming Potentials (GWPs)

Gas	Global Warming Potential
Carbon Dioxide	1
Methane	21
Nitrous Oxide	310
HFC-23	11,700
HFC-134a	1,300
HFC-152a	140
PFC: Tetrafluoromethane (CF ₄)	6,500
PFC: Hexafluoroethane (C ₂ F ₆)	9,200
Sulfur Hexafluoride (SF ₆)	23,900
Source: http://epa.gov/climatechange/emissions/downloads09/Introduction.pdf	

As noted above, the earth needs a certain amount of greenhouse gases in order to maintain a livable temperature. However, it is believed by many that global climate change may occur as a result of excess amounts of GHG, which, in turn, may result in significant adverse effects to the environment that will be experienced worldwide. The effects may include the melting of polar ice caps and rising sea levels, increased flooding in wet areas, droughts in arid areas, harsher storms, problems with agriculture, and the extinction of some animal species. Regardless of whether the rise in GHG is caused by natural cyclic events or not, it is widely believed production of additional GHG should be reduced in order to maintain a “healthy” level of GHG in the atmosphere.

Analysis:

Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006 (Núñez, Chapter 488, Statutes of 2006) requires a reduction in California’s greenhouse gas emissions to 1990 levels by 2020. AB 32 also required the California Air Resources Board (ARB) to develop a policy plan for reaching the 2020 emissions target and to adopt and enforce regulations to implement the plan. The resulting AB 32 *Climate Change Scoping Plan* (herein referred to as “Scoping Plan”) was adopted by ARB in December 2008.

In conjunction with the Tuolumne Tomorrow Blueprint Planning Project, the Tuolumne County Transportation Council prepared a countywide Greenhouse Gas Study. The study was completed in January 2012 and

presents the results of a countywide (including both incorporated and unincorporated areas) GHG emissions inventory, which evaluated existing (2010) GHG emissions. It also identified measures which land use project applicants can implement to reduce GHG emissions consistent with AB 32.

To assist project applicants with determining whether a proposed project's GHG emissions are consistent with AB 32 and the countywide reduction target, the study provides two sets of screening criteria. If a project meets either set of screening criteria, then the lead agency or project applicant would not need to perform an assessment of the project's GHG emissions.

For projects that do not meet either set of screening criteria, the Tuolumne County Greenhouse Gas Study identifies a project-level GHG emissions threshold of 4.6 MT CO₂e (carbon dioxide equivalent) per service population (the sum of the number of jobs and the number of residents provided by a project) per year that can be applied evenly to future land development applications countywide to ensure that new development reduces its share of emissions consistent with AB 32 and the countywide reduction target. This project-level - threshold is presented along with guidance on how to calculate a project's potential GHG emissions and determine whether it meets the project-level GHG emission threshold, and measures to reduce emissions if necessary.

If a proposed project *either* is equal to or less than the project size screening criteria in Table 2 of the GHG study, or incorporates *all* of the measures identified in Table 3 (P-1 through P-4) below, then a project specific assessment is not required.

Table 2: Project Screening Criteria by Project Size and Type

Single Family	4 parcels
Apartment, Condo, Townhouse	8 dwelling units
Commercial/Retail	2,000 square feet
Industrial	5,000 square feet
*Note: These screening criteria represent the maximum operational size of a project by land use type.	

Source: Table 5.8 of the Tuolumne County Greenhouse Gas Study

Table 3: Project Screening Criteria by Project Features

P-1: Project exceeds the California Energy Code requirements by 15 percent, based on the 2008 Energy Efficiency Standards requirements, through the installation of energy efficient design, lighting, equipment, appliances, or solar photovoltaic panels that provide 15 percent or more of the project's energy needs.
P-2: Project does not include fuel oil as a heating source.
P-3: Project provides dedicated and accessible recycling and green waste bins with instructions/education program explaining how to use the bins, what can go into each bin, and the importance of recycling.
P-4: Project (non-residential only) provides designated parking for any combination of low-emitting, fuel-efficient and carpool/vanpools vehicles at 10 percent of the total spaces, consistent with the 2010 California Green Building Standards Code Tier 1 measure (Table A5.106.5.1.1).
*Note: A project using this screening criteria table must incorporate all project features (P-1 through P-3 for residential, and P-1 through P-4 for non-residential) listed above.

Source: Table 5.9 of the Tuolumne County Greenhouse Gas Study

The current project does not meet the criteria to be exempt from requiring a greenhouse gas analysis in Table 2; however, the applicant has included the Project Screening Criteria by Project Features found in Table 3 as part of the project description for the proposed project. Therefore, the applicant has proposed that the project will prohibit the use of fuel oil as a heating source, provide on-site recycling and green waste bins and provide 10 percent of the required amount of parking spaces. Pursuant to Section 17.60.010 of the Tuolumne County Ordinance Code, a minimum of 167 parking spaces would be required for the proposed events up to 500

people, of which a minimum of 10 percent of the spaces will be provided for low emitting, fuel-efficient and/or carpool/vanpool parking only.

Existing historic structures are allowed to utilize the State Historical Building Code for improvements. New construction will be required to meet the 2016 California Building Code requirements. The 2016 Building Code exceeds the 2008 Energy Efficiency Standards by more than 15%; therefore, the measure to exceed the 2008 Code for energy efficiency will not be attached to Conditional Use Permit CUP15-009. The implementation of the mitigation measures found in Table 3 will make the project's greenhouse gas impacts less than significant.

Mitigation Measures:

1. The project shall not utilize fuel oil as a heating source.
2. The project shall provide dedicated and accessible recycling bins with instructions/education program explaining how to use the bins, what can go into each bin, and the importance of recycling.
3. The project shall provide designated parking for any combination of low-emitting, fuel-efficient and carpool/vanpools vehicles at 10 percent of the total spaces, consistent with the 2016 California Green Building Standards Code Tier 1 measure.

Mitigation Monitoring:

1. Mitigation Measure 1 will be implemented prior to issuance of a Building Permit and shall be monitored by the Building and Safety Division.
2. Mitigation Measures 2 and 3 shall be verified within 60 days of issuance of CUP15-009 and will be monitored by the Planning Division.
3. A Notice of Action shall be recorded for Mitigation Measures 1-3 to advise future owners of the required mitigation measures and the responsibility to comply with said measures.

VIII. HAZARDS AND HAZARDOUS MATERIALS:

Issues and Supporting Information Sources	<i>Potentially Significant Impact</i>	<i>Less-than- Significant With Mitigation Incorporation</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
Would the Proposed Project/Action:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) If located within the Tuolumne County Airport Land Use Compatibility Plan, result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) If located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| g) | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) | Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? Refer to Public Services Section for analysis. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Environmental Setting:

The project involves fourteen weddings, concerts or other seasonal events for up to 500 people, the construction of new 167 space parking area, the operation of a Farmer's Market and the modification of two historic structures to accommodate the events.

Hazardous and non-hazardous wastes that are likely to be generated from project operation would most likely include, but is not limited to hydraulic fluids and solvents used in the operation of the business. All wastes would be required to be handled, stored, transported, and disposed of according to a framework of federal, state and local regulations. Regulatory bodies include, but are not limited to, the California Environmental Protection Agency, Department of Toxic Substances Control, Tuolumne County Environmental Health, U.S. and California Department of Transportation, and the California Division of Occupational Safety and Health.

Analysis:

A review of the Department of Toxic Substances Control (DTSC) database, *EnviroStor*, which includes lists of hazardous materials sites compiled pursuant to California Government Code Section 65962.5, did not identify any sites on or adjacent to the project site that have used, stored, disposed of, or released hazardous materials. Construction or maintenance activities associated with the structures on the site could involve the use of potentially hazardous materials, including paints, cleaning materials, vehicle fuels, oils, and transmission fluids. However, all potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Therefore, potential impacts from hazardous substances are considered less-than-significant.

The project site is in an area rated as a very high fire hazard. The project has been reviewed by the Tuolumne County Fire Prevention Division (FPD) for consistency with the National Fire Code, California Fire Code, California Building Code, the Tuolumne County General Plan and Ordinance Code. The FPD indicates that the required fire flow for the project is 1,500 gallons per minute (gpm) at 20 pound per square inch (psi) for two hours. A County Standard Dry Barrel Hydrant must be available within 300 feet of the furthest portion of all proposed buildings measured by way of drivable access. The site is within an urban area with minimal risks of a wildland fire. Persons attending the events on the project site would not be exposed to a significant risk involving wildland fires.

The nearest airport to the project site is the Pine Mountain Lake Airport, approximately 3 miles to the northeast. There are no private airstrips within vicinity of the project site. The proposal to hold public weddings, concerts, other seasonal events and a farmer's market will not expose people to a significant risk from airport operations at the Pine Mountain Lake Airport.

The proposed project will not interfere with an adopted emergency response plan or an emergency evacuation plan. With the implementation of protection measures utilizing the National Fire Code, California Fire Code, California Building Code, the Tuolumne County General Plan and Ordinance Code, the project's impacts on hazards and hazardous materials will be less than significant.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

IX. HYDROLOGY AND WATER QUALITY:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there should be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or situation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Provide substantial additional sources of polluted runoff or otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

The project site is located within the Tuolumne River watershed. Tuolumne River is a watershed that runs 149 miles long and runs through the county of Tuolumne. Tuolumne River travels east to west and extends from Modesto, the most western side, to Yosemite National park, the most eastern side. The nearest lake is the Pine Mountain Lake, located approximately 1.5 miles to the northeast of the project site. The Don Pedro Reservoir which is approximately 3.5 miles southwest of the project site.

Garrotte Creek traverses the frontage of the project site adjacent to State Highway 120. A majority of the runoff from the project site drains to this creek and eventually entering into the Lake Don Pedro reservoir. There are two pond to the southwest, on an adjacent parcel, that are fed by an ephemeral stream, which connects to Garrotte Creek through the project site.

The project site is located within the service district of the Groveland Community Services District (GCSD) and receives public water and sewer service. The areas of Groveland and Big Oak Flat encompassed by the GCSD contain 3,316 customers who receive water service, 1,831 customers who receive sewer service (324 of which are sewer standby only) and approximately 4,465 who receive Fire Protection/Emergency Services and Parks/Recreation Services, the majority of which are single-family residences.

The GCSD has three primary sources of water: 1) Surface water from the San Francisco Public Utilities Commission (SFPUC) Hetch Hetchy Mountain Tunnel at two locations (Second Garrote Shaft and Big Creek Shaft); 2) Surface water that flows into Pine Mountain Lake (water rights owned by the Turlock Irrigation District); and 3) Recycled water. The surface water from the Hetch Hetchy Mountain Tunnel accounts for 84% of the total water supply in the District.

The SFPUC system provides 265 million gallons of water per day of which the GCSD has a share of 0.4 million gallons per day. The District reservoirs hold approximately 6.7 million gallons of water storage which is much more than current daily customer demands. The GCSD has sufficient water storage to meet its customers' daily demands through year 2034.

The GCSD has one sewer treatment plant, consisting of primary and secondary treatment. The sewage treatment plant normally operates at 250,000 gallons/day. The plant is permitted an average dry-weather flow of 400,000 gallons per day and a wet-weather flow of 500,000 per day. There are two reclaimed water storage reservoirs, with a total capacity of about 182 acre-feet. The GCSD has the sewage capacity to serve the project site.

The Federal Emergency Management Agency (FEMA) provides information on flood hazards for communities based on its Flood Insurance Rate Maps (FIRM).

Analysis:

Garrote Creek is along the frontage of the project site and eventually connects to the Don Pedro Reservoir to the southwest. Runoff from the project site has the potential to transport silt and other sediments to off-site surface waters if soil surfaces exposed during construction on the project site are not stabilized. The Federal Water Pollution Control Act was adopted to protect the quality of surface waters of the Country and is implemented through the National Pollutant Discharge Elimination System (NPDES). In California, the NPDES is implemented through the Storm Water Permitting Unit of the State Water Resources Control Board. Pursuant to State regulations, land development projects, which disturb one acre or more must submit a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit. The project will be conditioned to require that the property owner submit the NOI to comply with the Federal Water Pollution Control Act and minimize pollution of surface waters.

The provisions of the Grading Ordinance, Chapter 12.20 of the Ordinance Code, shall be enforced by the Engineering Division of the Community Resources Agency for driveway and parking area improvements required for this project. Because of the erosive nature of the soils on the project site, an Erosion Control Plan will be required as a condition of approval for the proposed project for any construction activities occurring between October 15 and May 15 of any year. In the absence of such plan, all construction shall cease on or before October 15, except that necessary to implement erosion control measures. The Engineering Division has the authority to require emergency erosion control measures pursuant to the Grading Ordinance, Chapter 12.20 of the Ordinance Code. This will serve to minimize siltation of downstream water bodies.

Prior to grading on the site for parking lot, driveway, or other improvements, a Drainage Plan is required to be submitted to the Engineering Division of the Community Resources Agency. The Drainage Plan must determine the effects of drainage on the site and its effects to adjacent properties. A retention/detention basin, sedimentation basin, or similar devices will be required to filter and attenuate surface runoff from paved travel ways and parking areas prior to discharge into the natural drainage system to minimize degradation. The on-site retention/detention basin may be a subsurface basin underneath the parking lot. The Drainage Plan will be utilized to determine the size of the retention/detention basin.

The Drainage Plan shall address the following:

- A. The entire project site including the parking lot drainage.
- B. The induced runoff to downstream drainages, culverts and adjacent property.

- C. An on-site retention/detention basin, sedimentation basin, or similar device shall be installed to filter and attenuate surface runoff from paved travel ways and parking areas prior to discharge into the natural drainage system to minimize degradation. If an on-site retention/detention system is used, the basin may be proposed as subsurface under the parking lot.

Future stream crossings or alteration of waterways will require consultation with the California Department of Fish and Wildlife. A Streambed Alteration Agreement or waiver must be obtained from the California Department of Fish and Wildlife, pursuant to Sections 1600-1616 of the California Fish and Game Code, for alterations to waterways on the site.

The project site has been located on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps, Community Panel No. 06109C1225C. These maps indicate that the project site is not located within a flood hazard area. No residential development is proposed on the site. There are no dams or levees within the vicinity of the project site. Consequently, approval of the project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. There is also no risk of exposure to inundation by seiche, tsunami, or mudflows on the project site.

Utilization of the County Grading Ordinance during parking area improvements would not result in significant impacts to water quality standards, alter the drainage pattern of the site, create excess runoff, or otherwise create flooding on or off the site.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

X. LAND USE AND PLANNING:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

The property is 21± acres in size. The site is zoned C-1 (General Commercial), C-1:H (General Commercial:Historic Combining), RE-1 (Residential Estate, One Acre Minimum) and O (Open Space) under Title 17 of the Tuolumne County Ordinance Code. The proposed uses will occur in the 2.7± acre portion of the site zoned C-1 and C-1:H.

The project site has a General Plan land use designation of General Commercial (GC) and Low Density Residential (LDR). Of the 21± acre parcel, approximately 3.6± acres are designated GC, which encompasses the northern portion of the site. The remaining acreage is designated LDR.

The table containing the surrounding General Plan land use designations and zoning districts is located on Page 3 of this document.

Analysis:

The GC designation provides for a variety of sales and service establishments which serve both the residents of Tuolumne County and its visitors. This designation is found within urban areas and along highway corridors to provide large scale retail and office operations in buildings not exceeding 50 feet in height. Accessory outdoor storage and display areas are permitted under this designation. Establishments in this category have a larger market area and greater volume of customers than those under the Neighborhood Commercial (NC) designation.

Typical establishments permitted under the GC designation include shopping centers, hotels, motels, restaurants, bars, department stores, gift shops and professional offices. The minimum parcel size may be reduced for the provision of affordable/achievable housing in accordance with the Tuolumne County Ordinance Code.

The LDR land use designation provides for family-oriented neighborhoods that feature single family, detached homes on individual parcels. A second dwelling unit per parcel is also permitted. This designation is applied to urban or urbanizing areas suitable for single-family residential neighborhoods, with individual lots ranging in area from 7,500 square feet to two acres. Typical land uses allowed include: detached single-family dwellings, secondary dwellings, residential accessory uses, parks, child care facilities and public facilities.

The following Goals, Policies and Implementation Programs of the Tuolumne County General Plan pertain to this project.

GENERAL PLAN GOALS AND POLICIES

General Plan	
Goals and Policies	Project Consistency
<i>Goal 1.A- Protect and enhance the quality of life for all residents of Tuolumne County while facilitating growth and development to meet the present and future needs of the County's residents, visitors and businesses.</i>	CUP15-009 will allow the project site to operate a commercial business for weddings, concerts and other events to aid visitors and residents of Tuolumne County with more family orientated event location choices.
<i>Policy 1.A.1- Promote the efficient use of land and natural resources.</i>	CUP15-009 would promote the commercial use of the property while retaining O zoning along the Garrotte Creek corridor, O zoning around the historic Powder House structure and retaining native vegetation.
<i>Policy 1.A.4 - Promote patterns of development that facilitate the efficient and timely provision of urban infrastructure and services.</i>	CUP15-009 would allow an expansion of an existing business on a parcel where public water and sewer services are readily available. The site is accessed by State Highway 120 and a paved County maintained road. The site is served by both public water and sewer service.
<i>Policy 1.F.5 - Promote new commercial development in rural communities that provides for the immediate needs of the local residents and services to tourists. The scale and character of such commercial development should be compatible with and complement the surrounding area.</i>	CUP15-009 would allow the expansion of an existing business to allow weddings, concerts and other community events to serve both visitors and residents of Tuolumne County.
<i>Policy 1.F.12 - Require all new commercial development to have adequate fire protection which may include design and maintenance features that contribute to the protection of the</i>	The proposed development has been reviewed by the Fire Prevention Division of the Tuolumne County Fire Department. The structures will be modified to meet the provisions of the California Fire Code as dictated by the

<i>County from the losses associated with wildland fire.</i>	Historic Building Code. The site is located one mile west of the Groveland Fire Station.
<i>Policy 8.C.4</i> - Address the needs of visitors and provide recreational opportunities which enhance business within the County's defined communities consistent with the goals and policies of the Economic Development Element of the General Plan.	CUP15-009 would allow the expansion of an existing business to allow weddings, concerts and other community events to serve both visitors and residents of Tuolumne County.
<i>Goal 10.E</i> - Promote the development of commercial, industrial, agricultural, and recreational facilities to provide jobs for County residents and diversify the local economy.	The proposed project would allow the expansion of an existing business for weddings, concerts and community events which would provide work for individuals as support staff. Construction or modification of improvements on the site would provide work for persons employed in the construction trades, such as grading contractors, general contractors, carpenters, electricians, plumbers and masons.
<i>Policy 10.F.1</i> - Encourage the retention and expansion of existing businesses.	The project consists of the existing Mountain Sage nursery and café. Expansion of this business to include the operation of weddings, concerts and community events would offer more opportunities for tourists and residents to utilize services at this facility and other businesses in Tuolumne County.
<i>Policy 13.C.7</i> - Encourage new development to be designed in an architectural style which is aesthetically appealing and blends into the architectural character of the individual community.	The applicant will modify existing historic structures on the site to incorporate modern features, while retaining the historic aspect of the original structures.
<i>Policy 13.C.8</i> - Encourage landscaping around parking lots to provide screening by retaining or replanting native vegetation and/or through the use of topography or other natural features and require landscaping to enhance new commercial and industrial development.	The project site already contains landscaping and native vegetation which screens a portion of the site and aids in creating an attractive appearance as view from State Highway 120 and adjoining properties.

Zoning Ordinance

The existing C-1, C-1:H and O zoning districts on the project site are consistent with the General Commercial land use designation pursuant to Figure 1.6 of the General Plan. The RE-1 and O zoning districts are consistent with the Low Density Residential land use designation pursuant to Figure 1.6 of the General Plan. Specific sections of the Ordinance Code that pertain to the project site are as follows:

Zoning Ordinance	
Requirements	Project Compliance
Section 17.24.010- The purpose of the RE-1 zoning district is to provide for residential neighborhoods with a country-like character in which limited agricultural pursuits and the keeping of livestock are permitted. The RE-1 district is intended to provide for a suburban-style family living on a variety of parcel sizes at least one acre in area.	The commercial events will not take place in the portion of the site zoned RE-1; however, pursuant to Section 17.24.030(F), a circus or carnival can be allowed subject to obtaining a Conditional Use Permit; therefore, the proposed 167 space parking lot can be located in the RE-1 zoning district as an accessory use to the commercial events.
Section 17.24.020- Within the RE-1 district the following uses are permitted: One primary single-family dwelling per parcel; one guesthouse or one detached secondary single-family dwelling, not exceeding 1,200 square feet of living area, when the parcel complies with the requirements of Section 17.52.200, or one attached secondary single-family dwelling unit, not exceeding 1,200 square feet of living area.	The portion of the site currently zoned RE-1 is not being utilized for the commercial concerts or community events. No buildings are proposed in the RE-1 zoning district; however a 167 space parking lot is proposed as an accessory to the commercial events.
Section 17.34.010- of the Ordinance Code states that the purpose of the General Commercial (C-1) district is to provide for a variety of sales establishments which serve both the resident and traveling public. Development within this district shall be served with public water, public sewer, paved streets and adequate police and fire protection according to the policies of the General Plan. Development in this zone must comply with Title 15 of the TCOC relative to fire safety standards.	The project proposes to allow concerts and community events. Existing historic buildings have been converted to support these activities. The site is served by both public water and sewer services. State Highway 120 runs along the frontage of the project site. State Highway 120 is a common travel path for tourist heading to Yosemite.
Section 17.34.020- states that within any C-1 zoning district, the following uses are permitted: hotels and motels; one single-family dwelling per parcel, which shall not be converted to a commercial use unless it is brought into compliance with Title 15 of this code relative to fire safety standards; nurseries and greenhouses; general recreational use incidental to the primary use of the parcel; places of public assembly, social clubs, lodges and clubhouses; residential care homes or nursery schools within a permitted single-family dwelling, for not more than eight persons; schools, churches, libraries, museums, art galleries, tourist information facilities; retail sales, indoor.	The project site contains the existing Mountain Sage nursery and cafe that are a permitted use in the C-1 zoning district.
Section 17.34.030- states that within the C-1 zoning district the following are allowed subject to a Conditional Use Permit: recreational buildings and developments; tent revivals, circuses and carnivals; health care facilities;	Conditional Use Permit CUP15-009 and CUPH-003 will allow weddings, concerts and community events in the C-1 and C-1:H zoned portions of the project site. These events are a recreational type of development. A Farmers Market is also proposed,

residential care homes, transitional housing, supportive housing, nursery schools, and day care centers, other than family day care homes; outdoor storage; flea markets; bars, with or without outdoor seating, for the service of beer and wine in conjunction with restaurants located within two hundred feet of a residential district in accordance with Section 17.52.020 or bars with outdoor seating located more than two hundred feet from a residential district; retail services, outdoor; and retail sales, outdoor.	which is similar in nature to a flea market.
Section 17.44.010- states that the purpose of the historic (H) combining district is to preserve and enhance places and things of particular importance in local, state or national history.	Conditional Use Permit CUPH15-003 proposed to modify the historic Mountain Sage building and the historic barn to support the weddings, concerts and other community events. The proposed modification will be reviewed by the Tuolumne County Historic Preservation Review Commission. The exterior of these buildings will be preserved as much as practical.
Section 17.14.010- states that the intent of the (O) district is to protect the public in areas not suitable for development because of flooding or other natural hazards and to provide areas of open space for the protection of wildlife habitat and scenic quality where vegetation removal may be appropriate in certain instances or for the preservation of cultural resources.	The Garotte Creek corridor and the historic Powder House structure are located within the O zoning district. One existing driveway crosses Garotte Creek with will be allowed to be maintained and widened as necessary to meet Title 11 commercial driveway standards. No disturbance to the Powder House is proposed.

Section 17.68.020 states that the purpose of the Conditional Use Permit is to allow the proper integration in the community of uses which may be suitable only on certain conditions in specific locations in a zoning district, or when a site is regulated in a particular manner. Use permits shall be granted for a particular use at a particular location, and may be transferred by the permittee to another person, but not to another location. Section 17.68.040 specifies the notification requirements and Section 17.68.050 discusses the findings which must be made by the decision making body.

Landscaping

Section 15.28.030 of the Tuolumne County Ordinance Code states that the minimum area required to be landscaped for commercial, industrial and multiple-family residential development projects that are subject to a planned unit development permit, site development permit, site review permit, conditional use permit, building permit, or grading permit on land zoned C, M, BP, M-U, R-3, or R-2 is ten percent (10%).

Section 15.28.040 of the Ordinance Code states the landscaping requirements; however, based on a site visit it was observed that the property owners have already planted extensive landscaping on the majority of the project site which exceeds the 10% minimum requirement. The new 167 parking area will be required to be landscaped and/or retain native vegetation to present an attractive appearance from neighboring properties, Powder House Street and State Highway 120.

Prior to development of the project site, the following entitlements may be required:

Future Entitlements	
Permit	Agency
Grading Permit	Engineering Division of the Community Resources Agency
Road Encroachment Permit	Engineering Division of the Community Resources Agency
Streambed Alteration Agreement	California Department of Fish and Wildlife
General Construction Activity Storm Water Permit	Regional Water Quality Control Board
Building Permits	Building Division of the Community Resources Agency
Food Facility Permits Public Pool Permit	Environmental Health Division of the Community Resources Agency.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

XI. MINERAL RESOURCES:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

Tuolumne County was formerly a California gold rush area. The County was placer-mined during the gold rush; lode mining began in early 1850s. The Mineral Land Classification of a Portion of Tuolumne County Study found that the premier producer in the East belt of Tuolumne County, was developed along a vein system that strikes northerly and generally dips very steeply east. Other features include the presence of dikes, vein thicknesses that generally average less than two feet, and mineralization that consists of both free gold and gold-bearing sulfides.

The California Surface Mining and Reclamation Act of 1975 (SMARA) requires the State Geologist to classify land into Mineral Resource Zones (MRZs) according to the known or inferred mineral resource potential of that land as determined from its economic geology. The primary goal of mineral and land classification is to ensure that the mineral resource potential of land is recognized by local government when making decisions on land use. Identified in the Mineral Land Classification of a Portion of Tuolumne County, California for Precious Metals, Carbonate Rock and Concrete Grade Aggregate 1997 Map, the project site does not fall within an MRZ-2b zone.

Analysis:

The *Mineral Land Classification of a Portion of Tuolumne County, California, for Precious Metals, Carbonate Rock and Concrete-Grade Aggregate (1997)* (DMG Open-File Report 97-09), indicates that no economically important mineral resources are located on the project site.

The project would not result in the loss of a known mineral resource; therefore, the project would not have a significant impact on mineral resources.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

XII. NOISE:

Issues and Supporting Information Sources

	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) If located within the Tuolumne County Airport Land Use Compatibility Plan, expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) If located within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

Noise is commonly defined as undesirable or unwanted sound. Noises vary widely in their scope, source, and volume, ranging from individual occurrences such as leaf blowers, to the intermittent disturbances of overhead aircraft, to the fairly constant noise generated by traffic on freeways. Three aspects of community noise are used in assessing the noise environment:

Level (e.g., magnitude or loudness): Sound levels are measured and expressed in decibels (dB) with 10 dB roughly equal to the threshold of hearing. Transient noise events may be described by their maximum A-weighted noise level (dBA).

Frequency composition or spectrum: Frequency is a measure of the pressure fluctuations per second, measured in units of hertz (Hz). The characterization of sound level magnitude with respect to frequency is the sound spectrum, often described in octave bands, which divide the audible human frequency range (e.g., from 20 to 20,000 Hz) into 10 segments.

Variation in sound level with time, measured as noise exposure: Most community noise is produced by many distant noise sources that change gradually throughout the day and produce a relatively steady background noise having no identifiable source. Identifiable events of brief duration, such as aircraft flyovers, cause the community noise level to vary from instant to instant. A single number called the equivalent sound level, or Leq, describes the average noise exposure level over a period of time. Hourly Leq values are called Hourly Noise Levels.

Discretionary projects are evaluated utilizing Chapter 5 of the Tuolumne County General Plan relating to Noise. The following definitions are from the Glossary of the Tuolumne County General Plan and are used in the Noise Element of the General Plan:

- CNEL: Community Noise Equivalent Level means a 24-hour energy equivalent level derived from a variety of single-noise events, with weighing factors of approximately 4.8 and 10 decibels applied to the evening (7:00 PM to 10:00 PM) and nighttime (10:00 PM to 7:00 AM) periods, respectively, to allow or the greater sensitivity to noise during these hours.
- Ldn: the day/night average sound level. The Ldn is the average equivalent sound level during a 24-hour day, obtained after addition of ten (10) decibels to sound levels in the night after 10:00 p.m. and before 7:00 a.m.
- dBA: is the "A-weighted" scale for measuring sound in decibels. It weighs or reduces the effects of low and high frequencies in order to simulate human hearing. Every increase of 10 dBA doubles the perceived loudness though the noise is actually ten times more intense.
- A-Weighted Sound Level: All sound levels referred to in this document are in A-weighted decibels. A weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Most community noise standards utilize A weighting, as it provides a high degree of correlation with human annoyance and health effects.

Decibel: means a unit used to express the relative intensity of a sound as it is heard by the human ear. The decibel scale expresses sound level relative to a reference sound pressure of 20 micronewtons per square meter, which is the threshold of human hearing. Sound levels in decibels (dB) are calculated on a logarithmic basis. An increase of 10 decibels represents a 10-fold increase in acoustic energy, and an increase of 20 decibels corresponds to a 100-fold increase in acoustic energy. An increase of 10 dB is usually perceived as a doubling of noise.

Equivalent Sound Level (Leq): The equivalent sound level is the sound level containing the same total energy as a time varying signal over a given sample period. Leq is typically computed over 1, 8 and 24-hour sample periods.

Leq is the energy equivalent level, defined as the average sound level on the basis of sound energy (or sound pressure squared). The Leq is a "dosage" type measure and is the basis for the descriptors used in current standards, such as the 24-hour CNEL used by the State of California. The hourly Leq is measure over a 1 hour sample period.

Lmax: is the highest sound level measured over a given period of time.

The major noise sources in the Groveland area are related to vehicle traffic, commercial activities, and residential activities. According to common practice, maximum noise levels of 60 dB are considered "normally acceptable" for unshielded residential development. Noise levels from 60 dB to 70 dB fall within the "conditionally unacceptable" range, and those in the 70 to 75 dB range are considered "normally unacceptable".

Analysis:

Implementation Program 5.A.a of the 1996 Tuolumne County General Plan requires that the County consider the effects of the development of new stationery noise sources or modification of existing stationary noise sources on noise-sensitive land uses, including urban residential development.

Goal 5.A.4 of the 1996 Tuolumne County General Plan directs the County to determine if new development or changes to existing development, which requires a discretionary entitlement, will create new or exacerbate existing noise levels which exceed the standards for surrounding land uses. The project site would generate noise from the use of amplified music in association with concerts and community events.

Figure 5.4 of the 1996 Tuolumne County General Plan shows the maximum allowable noise exposure from stationary noise sources measured from nearby land uses. The noise from nearby noise sources will be considered during the design and approval of a project.

**FIGURE 5.4
OF THE TUOLUMNE COUNTY GENERAL PLAN
MAXIMUM ALLOWABLE NOISE EXPOSURE-STATIONARY NOISE SOURCES¹**

	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
Hourly Leq, dB ²	50	45
Maximum level, dB ³	70	65

1. This table applies to noise exposure as a result of stationary noise sources. For a development project or land use change involving a noise-sensitive land use, the noise from nearby noise sources will be considered during design and approval of the project, or in determining whether the land use change is appropriate. For development projects which may produce noise, land use changes and project review will consider the effects of the noise on possible noise-sensitive land uses. When considering modification or expansion at a site that already produces noise levels which exceed these standards at noise-sensitive land uses, the modification or expansion shall be reviewed to consider if the proposed action will further raise the existing noise levels received at the noise-sensitive land use(s).

Noise-sensitive land uses include urban residential land uses, libraries, churches, and hospitals, in addition to nursing homes or schools which have over 6 beds or students, respectively. Transient lodging establishments which are considered noise sensitive land uses include hotels, motels, or homeless shelters, but not bed and breakfast establishments located in rural areas, campgrounds, or guest ranches. Urban means areas that are characterized by residential densities exceeding 1 dwelling unit per two acres and commercial development except on land designated on the General Plan land use diagrams as Special Commercial (SC).

2. The sound equivalent level as measured or modeled for a one-hour sample period. The daytime or nighttime value should not be exceeded as determined at the property line of the noise-sensitive land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers or other property line noise mitigation measures.
3. Similar to the hourly Leq, except this level should not be exceeded for any length of time.

Figure 5.5 of the Tuolumne County General Plan shows the significance of change in cumulative noise exposure from a project that could cause a significant increase in the cumulative noise exposure of existing noise-sensitive land uses. During the analysis to determine significant changes, ambient noise levels are considered. The ambient noise level is used as the normal environmental noise at that location. For the area of the project site, a significant change would occur if noise from the project site increased the level of ambient noise greater than 1.5 dB as shown in the table below:

**FIGURE 5.5
OF THE TUOLUMNE COUNTY GENERAL PLAN
SIGNIFICANCE OF CHANGES IN CUMULATIVE NOISE EXPOSURE¹**

Ambient Noise Level Without Project² (Ldn or CNEL)	Significant Impact if Cumulative Level Increases By:
<60 dB	+ 5.0 dB or more
60-65 dB	+ 3.0 dB or more
>65 dB	+ 1.5 dB or more

1. These standards shall be applied when considering the noise impacts from projects that could cause a significant increase in the cumulative noise exposure of existing noise-sensitive land uses. If it is likely that existing noise-sensitive land uses could experience these increases in cumulative noise exposure, as measured in CNEL or Ldn, then an acoustical analysis that meets the requirements of Figure 5.1 shall be accomplished and the results considered in project design.
2. Ambient Noise is defined as the composite of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.

On July 23, 2016, measurements of music and crowd noise associated with a live concert on the Mountain Sage property were conducted by *Environmental Science Association (ESA)* from Sacramento, California. The noise analysis is available for review at the Community Resources Agency, 48 Yaney Street, Sonora, during regular business hours 8 am until 4 pm, Monday through Friday. Noise monitors were placed near the stage area on the Mountain Sage property, on a residence approximately 430 feet southeast of the stage area and on a residence located nearly the same distance to the southwest. The noise readings were taken between the hours of 5 p.m. and 10 p.m. during the live concert activities on a Saturday. The results of the Noise Analysis are as follows:

RESULTS OF THE NOISE ANALYSIS

	Noise Measurement	Location of Monitor
Hourly Leq, dB	50 - 59dBA ¹	190 Feet South of event stage
Maximum level, dB	63-71 dBA ²	190 Feet South of event stage
Hourly Leq, dB	42-50 dBA ¹	Residence (430 feet to the southwest)
Maximum level, dB	56.9- 70.8 dBA ²	Residence (430 feet to the southwest)

1. Prior to people arriving for the concert activities on the Mountain Sage property.
2. Sound mainly from amplified music on the stage area.

The conclusion of the analysis found that music from the live concerts may result in a contributing value between 57 dBA and 71 dBA decibels at the residence 430 feet south of the stage area. The noise consultant recommended implementing a *Sound Control Plan* which includes limiting the hours and days of the week for the use of amplified music on the site, redirecting speakers to not face towards the south (residence) and to have events monitored with a Sound Meter to ensure noise does not exceed the Tuolumne County Noise Standards for sensitive receptors.

In order to minimize potential impacts to the noise-sensitive residential land uses, the noise levels generated by the project will be restricted at the receiving property line pursuant to Implementation Program 5.A.a and Figure 5.4 of the Noise Element. The noise levels generated by the concerts and community events will be monitored through complaints received regarding any potential violations and would be investigated and resolved through established code compliance procedures.

The project will be conditioned to require that the noise levels generated by activities on the project site adhere to the following General Plan exterior noise limits as measures at the property lines:

Zoning Classification of Receiving Property	Noise Level (dB) of Sound Source	
	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 L _{eq} . (1 hour) ¹	45 L _{eq} . (1 hour) ¹

¹L_{eq}. 1 hour refers to the average noise level measured over a one hour period.

Mitigation Measures

1. All music on the project site shall cease by 11:00 p.m. on Saturday, and by 10:00 p.m. Sunday through Friday.
2. The property owners, or their representative, shall monitor event noise levels with their own sound-meter to ensure that a decibel rating of less than 70 dBA at a distance of 190-feet from the stage area is maintained during each concert or community event.
3. Speakers or amplified sound systems for concerts or events shall be placed so that no portion of the speaker or sound system faces towards the residence located to the southwest.

Mitigation Monitoring:

1-3. A Notice of Action will be recorded to advise future owners of these required mitigation measures and the responsibility to comply with said measure.

XIII. POPULATION AND HOUSING:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than-Significant With Mitigation Incorporation	Less-than-Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

In 2013, Tuolumne County had a population of 53,874. This represents a drop of 2.7% from 2010 population estimates of 55,365. According to the Housing Element in the Tuolumne County General Plan, the majority of the County's population is white, in their mid-40's, in a service-related profession, married without children and has a median household income of \$58,300.

Analysis:

Retail services and entertainment with amplified music are conditional uses within the C-1 and C-1:H zoning districts; therefore, the proposed land uses may be found to be consistent with the GC land use designation. No events or activities will occur on the LDR portion of the site.

Pursuant to Section 7.34.020 of the Tuolumne County Ordinance Code: within any general commercial district, the following uses are permitted unless otherwise provided in this chapter: Hotels and motels; one single-family dwelling per parcel, which shall not be converted to a commercial use unless it is brought into compliance with Title 15 of this code relative to fire safety standards; nurseries and greenhouses; general recreational use incidental to the primary use of the parcel; places of public assembly, social clubs, lodges and clubhouses; residential care homes or nursery schools within a permitted single-family dwelling, for not more than eight persons; schools, churches, libraries, museums, art galleries, tourist information facilities; and retail sales, indoor, subject to the requirements of section 17.52.180

The proposed project is not proposing any new residential development. The commercial structures exist on the project site with events proposed as a secondary use of the site. No extension of existing services or new roads are proposed to serve the project site; and therefore, the proposed project would not be growth inducing. No persons will be displaced as a result of the operation of the concerts and community events on the project site.

A mixture of residential and commercial land uses surround the project site as shown on the following diagram with their corresponding land use designation and zoning district.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

Legend:

Zoning Districts		General Plan Designations	
R-1	- Single Family Residential	LDR	- Low Density Residential
R-2	- Medium Density Residential	MDR	- Medium Density Residential
RE-1	- Residential Estate, One Acre Minimum	HDR	- High Density Residential
RE-2	- Residential Estate, Two Acre Minimum	MU	- Mixed Use
RE-5	- Residential Estate, Five Acre Minimum	ER	- Estate Residential
A-20	- General Agricultural, Twenty Acre Minimum	HR	- Homestead Residential
AE-37	- Exclusive Agricultural, Thirty-Seven Acre Minimum	RR	- Rural Residential
P	- Public	LR	- Large Lot Residential
O	- Open Space	P	- Public
C-1	- General Commercial	GC	- General Commercial
C-2	- Heavy Commercial	NC	- Neighborhood Commercial
C-O	- Neighborhood Commercial	O	- Open Space
M-U	- Mixed Use	-AIR	- Airport Overlay
:MX	- Mobilehome Exclusion Combining		
:PD	- Planned Unit Development Combining		
:AIR	- Airport Combining		



XIV. PUBLIC SERVICES:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of these public services:				
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

Police Services

Law enforcement services in the Groveland area are provided by the Tuolumne County Sherriff's office. The nearest Sherriff station to the project site is located at 28 Lower Sunset Drive in Sonora, which is approximately 23 road miles away. Response times for the entire county averages between 5 minutes to 35 minutes depending on day of the week and time and the location of the incident. An average of six deputies patrols the county at any given time.

Fire Services

Fire protection services to the site are provided by Groveland Community Service District fire station, in cooperation with the California Department of Forestry and Fire Protection (CAL FIRE). The nearest station, is located on Main Street in Groveland, approximately 1 mile to the east of the site. The Tuolumne County Ambulance Building is adjacent to the project site on the east. Average response time to the project site from Groveland Fire Department is approximately 2 minutes. CALFIRE is a full service fire department providing emergency services to all unincorporated areas of Tuolumne County through a network of fire stations, personnel and equipment.

Schools

The nearest public school is Tenaya Elementary School, approximately 3 miles east of the project site on State Highway 120. Enrollment at this school is approximately 300 students in grades Kindergarten through 8th grade.

Parks

There is a community park, named Mary Laveroni Park, approximately 2 miles to the east of the project site on State Highway 120. This park contains a baseball field, a stage with bleacher seating, a playground, picnic areas, a museum and the County Youth Center. Parks are also located within the Sonora area, approximately

8 miles to the northwest of the project site. Yosemite National Park is located approximately 20 miles to the northeast of the project site.

Analysis:

The proposed project has been reviewed by the Tuolumne County Fire Prevention Division (FPD). The Fire and Resource Assessment Program (FRAP) *Map of Fire Hazard Severity Zones in State Responsibility Areas* indicates the project site as being located within a high fire hazard area. This rating is based on factors of slope, vegetation and annual summer weather patterns. These zones, referred to as Fire Hazard Severity Zones (FHSZ), provide the basis for application of various mitigation strategies to reduce risks to buildings associated with wildland fires. The zones also relate to the requirements for building codes designed to reduce the ignition potential to buildings in the wildland-urban interface zone.

The project has been reviewed by the Tuolumne County Fire Prevention Division (FPD) for consistency with the National Fire Code, California Fire Code, California Building Code, the Tuolumne County General Plan and Ordinance Code. The FPD indicates that parking areas and road access must meet County standards, including the posting of "No Parking Fire Lane" and "Emergency Exit" signs and a traffic control point for safe entry and exit from the site. These requirements will be made conditions attached to Conditional Use Permit CUP15-009.

Law enforcement services are provided to the unincorporated areas of Tuolumne County by the Tuolumne County Sheriff's Department. The project was referred to the Sheriff's Department for review but no comments were received. The Sheriff's Department could be called during concerts and events should a situation arise in which law enforcement is needed to intervene. The California Highway Patrol routinely patrols the area of Groveland and may be utilized during large events to aid in the control of traffic to and from the on-site parking areas.

The project site lies within the Big Oak Flat School District. Pursuant to State law, school districts can require fees for new construction to mitigate impacts to the school system. Payment of school fees will be required prior to issuance of a Building Permit for any new residence on the project site. The existing RE-1 zoning district could allow for the construction of an additional residence on the project site; however, no new residence is proposed for the current project.

The current fire and police services provide sufficient personnel and equipment to serve the project site. No new law enforcement facilities would need to be constructed as a result of the project; therefore, the project will have a less than significant impact on fire and police services.

The proposed project is for entertainment and educational purposes and would not have a significant impact on parks or other recreational facilities in Tuolumne County.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

XV. RECREATION:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of				

recreational facilities which might have an adverse physical effect on the environment?

☐☐☐☒

Environmental Setting:

Tuolumne County has a variety of recreational opportunities for the public, including Yosemite National Park, Stanislaus National Forest, State parks, and other government agencies such as the U.S. Bureau of Reclamation and the Bureau of Land Management. Community based recreation and park districts include the Tuolumne County Recreation Department and the City of Sonora Recreation Department. Within the Groveland community area, recreational opportunities exist in the form of a community park, named Mary Laveroni Park. Nearby areas include camping sites, hiking trails, fishing, and a golf course and private lake within the Pine Mountain Lake subdivision.

Analysis:

The project site is commercial property that does not create a demand for recreational facilities. Pursuant to Section 16.26.120 of the Ordinance Code and General Plan Implementation Program 8.D.b, park dedication or in-lieu fees are required only for residential subdivisions that result in five primary residences or more. Therefore, Conditional Use Permit CUP15-009 is not required to provide additional, or expand upon existing, recreational facilities. The operation of weddings, concerts and other events on the project site will provide increase recreational opportunities and not burden existing recreational facilities: therefore, there will not be a significant impact to parks or other recreational facilities.

Mitigation Measures: None required.

Mitigation Monitoring: None applicable.

XVI. TRANSPORTATION/TRAFFIC:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than-Significant With Mitigation Incorporation	Less-than-Significant Impact	No Impact
Would the Proposed Project/Action:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the jurisdictional congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

The community of Groveland is served by one major highway, State Route 120, an east/west route. State Route 120 in Tuolumne County is a two-lane highway. Other roads serving the Groveland area include Priest-Coulterville Road, Ferretti Road, and Pine Mountain Lake Drive, which serve as main routes for local

circulation within the Groveland area, and provide access to the residential properties, recreational points and other points of interest within the area.

There is no regular public transit service for the Groveland area. The Yosemite YARTS bus runs seasonally between May and September and provides transportation from the Sonora area with a daily stop in Groveland. The nearest transit stop to the project site is located at Mary Laveroni Park, approximately 2 miles east of the project site.

Analysis:

Access to the Mountain Sage property is currently provided by a driveway easement off of State Highway 120 which serves a small gravel parking area. A second access is provided by a driveway easement to serve the Groveland Medical Clinic, to a second gravel parking area on the east of the Mountain Sage building.

1. There are two proposed options for a new driveway to access the new upslope parking lot:
 - A. A driveway access from Powder House Street.
 - B. A new driveway west of the Groveland Medical Clinic and through the western corner of the County Ambulance property (APN 07-070-03), subject to approval of an easement from the County CAO's Office.

The Board of Supervisors heard a proposal in March 2018, for a pedestrian walkway easement and had agreed with the proposed walkway but required the property owner to sign a Hold Harmless Agreement for the use of the walkway through County property. Submittal of a Hold Harmless Agreement will be a condition of CUP15-009. A portion of the new driveway crosses the public easement utilized by the Groveland Medical Center. The public easement allows unrestricted public access and could be utilized for event traffic.

Powder House Street is a proposed secondary access, which is a local County road. Should Powder House Street be utilized for access to the new parking area, Powder House Street will be required to be widened to Title 11 standards as a Condition of Approval for CUP15-009. Powder House Street joins State Highway 120 approximately 475 feet east of the Mountain Sage event area. State Highway 120 is under the jurisdiction of the California Department of Transportation (Caltrans).

The LOS is a qualitative measure of the operating conditions on a section of roadway. It is defined by the motorists' perception of their mobility and comfort. In general, LOS "A" through LOS "C" indicates minimal or acceptable delays. LOS "D" represents heavy traffic with motorists feeling noticeable congestion. LOS "E" indicates that the roadway is operating at or near its capacity, and there are frequently intolerable delays. LOS "F" means the traffic volume is higher than the capacity of the roadway so queues form, excessive delay and stop-and-go conditions are present.

General Plan Implementation Program 2.A.h directs the County to develop and maintain the County road system so that there shall be no lower operating level than LOS C on Arterial and Major Collector roadways, except within one-half mile of similarly classed highways where the standard shall be no lower than LOS D. The minimum peak hour LOS standards for intersections of Major Collector roads and Arterial highways shall be LOS D. This area of State Highway 120 is currently operating at LOS A, with minimal or acceptable delays.

The maximum number of people at any event would be 500, including both guests and staff, under the requested Conditional Use Permit. It is estimated that those attending and working the event would average three persons per vehicle, which would result in a maximum of 167 vehicles the day of a concert or other large event.

The project has been reviewed by the California Department of Transportation (Caltrans) and the Engineering Division of the Community Resources Agency. Neither Caltrans nor the Engineering Division required a traffic study for the project because the anticipated level of traffic resulting from the project was not large enough to warrant a traffic study. For a Traffic Study to be required by the Engineering Division, the peak afternoon trips (Between 4:30 pm and 6 pm) would need to be greater than 50 vehicle trips per hour, or

greater than 500 vehicle trips per day. The information for Traffic Studies is found in the *Guide for the Preparation of Tuolumne County Traffic Impact Studies*. Caltrans uses similar criteria to determine when a Traffic Study is warranted. The total vehicle trips from a concert or other large event are estimated to be less than 200 vehicle trips per day, when an event is occurring, based on a maximum of 500 attendees grouped on average 3 people per vehicle.

Caltrans has advised the following to be implemented for potential impacts from events with greater than 300 people in attendance:

- Provide bicycle racks on the site.
- Provide pedestrian paths to access the site.
- Prepare a Traffic Management Plan, along with proposed signage and the use of the California Highway Patrol to coordinate traffic for larger events. The Traffic Management Plan must be reviewed by Caltrans to ensure the maximum event size proposed can feasibly accommodate the proposed parking access from State Highway 120.
- Obtain an encroachment permit from Caltrans for traffic control and signage for the State Highway 120 right-of-way.
- Provide a Drainage Plan for review and approval by Caltrans that shows potential runoff from the proposed new 167 space parking area and its effects on State Highway 120 drainage facilities. A Grading Permit for the parking lot will not be issued until the Drainage Plan has been approved.

The project will be conditioned to provide a Traffic Management Plan which addresses Caltrans concerns and to submit the plan to Caltrans for review and approval. The Traffic Management Plan will be implemented prior to all concerts or other events expected to attract greater than 300 people, with a set start and stop time. The Plan will not be necessary for normal operations at the Mountain Sage nursery and café, or for the operation of the Farmer's Market, or events expected to attract less than 300 people.

The Tuolumne County Board of Supervisors has determined that certain types of projects contribute, cumulatively, to the significant adverse impacts on the County's circulation system. The Traffic Impact Mitigation Fee (TIMF) for recreational projects is currently \$1,560.00 per parking space. As discussed above, a ratio of 1 parking space per 3 special event guests is being used to calculate off-street parking. A maximum of 500 people is proposed for a wedding, concert or other event; therefore, a minimum of 167 parking spaces are required to accommodate the concerts and large events parking. The applicant has specified that a maximum of fourteen (14) weddings, concerts or other events will occur per year which could attract over 300 participants; therefore, the payment of fees would be prorated for 14 events per year. Currently this would require a payment of TIMF in the amount of \$9,899.76.

To mitigate the impact for the operation of concerts or other community events, the project proponent or property owner must pay the TIMF required by Chapter 3.54 of the Tuolumne County Ordinance Code within 120 days of approval of Conditional Use Permit CUP15-009.

The project is located approximately 3 miles to the southwest of the Pine Mountain Lake Airport. The proposed project would not interfere with air traffic patterns, or otherwise interfere with the operations of the airport; therefore, the project would not have a significant impact on air traffic.

The project site is located on a section of State Highway 120 that does not contain curves or blind corners. Utilization of the proposed Traffic Control Plan during larger events would aid in traffic entering and exiting the highway corridor; therefore, the project would not have a significant impact to the safety of traffic traveling on State Highway 120.

Should Power House Street be utilized for event traffic, Power House Street will be widened to allow emergency response personnel to gain access to the proposed new parking area. The parking lot on the highway frontage and to the east of the Mountain Sage building has access close to the existing ambulance building in Groveland. The site is within a 2 minute response time from the Groveland fire station. The project site will have sufficient emergency access for first responders and other emergency response personnel.

The project will be conditioned to provide bicycle racks on the site, which is consistent with policies adopted within the Tuolumne County Transportation Plan. The project will not have a significant impact on adopted policies, plans or programs of Tuolumne County.

Mitigation Measures:

1. Provide bicycle racks on the site.
2. Provide pedestrian paths to access the site.
3. Provide a Traffic Management Plan along with proposed signage and the use of the California Highway Patrol to coordinate traffic for events greater than 300 people. The Traffic Management Plan must be reviewed and approved by Caltrans to ensure the maximum event size proposed can feasibly accommodate the proposed parking access from State Highway 120.
4. Obtain an encroachment permit from Caltrans for traffic control and signage for the State Highway 120 right-of-way, prior to events that may attract greater than 300 people.
5. Provide a Drainage Plan for review and approval by Caltrans that shows potential runoff from the proposed new 167 space parking area and its effects on State Highway 120 drainage facilities.
6. Powder House Street shall be widened to Title 11 standards up to the new parking area, if Power House Street is utilized for event traffic.
7. An easement shall be obtained from Tuolumne County for the use of a driveway through the corner of the Ambulance Building property, to serve the new 167 space parking lot.
8. Sign a Hold Harmless Agreement for the use of the proposed new driveway through County owned property (APN 07-070-03).
9. Payment of Traffic Impact Mitigation Fees.

Mitigation Monitoring:

1. Mitigation Measure 1-4 must be implemented prior to conducting concerts or other events where greater than 300 people are expected.
2. Mitigation Measure 5 must be submitted prior to issuance of a Grading Permit.
3. Mitigation Measure 6-9 must be implemented prior to events on the site

XVII. TRIBAL CULTURAL RESOURCES:

Issues and Supporting Information Sources	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporation	Less-than-Significant Impact	No Impact
Would the Proposed Project/Action:				
Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

In September of 2014, the California Legislature passed Assembly Bill (AB) 52, which added provisions to the Public Resources Code (PRC) regarding the evaluation of impacts on tribal cultural resources under CEQA, and consultation requirements with California Native American tribes. In particular, AB 52 now requires lead agencies to analyze project impacts to “tribal cultural resources” separately from archaeological resources (PRC §21074; 21083.09). The Bill defines “tribal cultural resources” in a new section of the PRC §21074. AB 52 also requires lead agencies to engage in additional consultation procedures with respect to California Native American tribes (PRC §21080.3.1, 21080.3.2, 21082.3).

No tribal entities have contacted the Tuolumne County Community Resources Agency to request formal consultation under the AB 52 process in relation to this project. However, on July 30, 2015 (initial project application), on August 1, 2017 (project revisions), and again on March 26, 2019 (project revisions) project notification letters were sent to all local tribal contacts, including a complete project description and a project map, as a courtesy notification, not in response to AB 52. No comments from tribal entities for this project have been received to date.

Analysis:

A cultural resource study was conducted on the property by Foothill Resources Limited on June 9, 2003. The project site was studied for both archaeological and architectural resources. The field survey revealed three archaeological features that were considered not eligible for listing in the California Register of Historic Resources and therefore not significant historic resources for the purposes of CEQA. Four historic structures were recorded and evaluated on the property. These four resources are not tribal cultural resources.

Three local Native American tribes were contacted by mail advising them of this project. The three local tribes are the Tuolumne Band of Me-Wuk Indians, the Chicken Rancheria Indians and the Buena Vista Rancheria. No comments were received from these tribes concerning this project.

However, the possibility of subsurface cultural resources still exists. Should an inadvertent discovery of cultural materials is made during project related ground disturbing activities, ground disturbances in the area of the find must be halted and a qualified professional archaeologist must be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant and develop appropriate mitigation pursuant to Section 14.10.150 of the Ordinance Code.

Mitigation Measure: A condition will be imposed on the project to require that if, during the excavation or construction process, subsurface cultural resources are discovered on the project site, all work shall stop immediately until a qualified archaeologist, approved by the Community Resources Agency, evaluates said resources and establishes boundaries around archaeologically or historically sensitive areas. If the site is determined to be significant, appropriate mitigation measures shall be formulated and implemented in accordance with Section 15064.5 of the *State CEQA Guidelines*.

Mitigation Monitoring: A Notice of Action will be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure.

XVIII. UTILITIES AND SERVICE SYSTEMS:

Issues and Supporting Information Sources		Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Would the Proposed Project/Action:					
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Be serviced by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

Pacific Gas and Electric provides electric service to the project site. Burns Waste Management is responsible for garbage collection in the community of Groveland. The project site is located within the jurisdiction of the Central Valley Regional Water Quality Control Board (CVRWQCB). The Groveland Community Services District is responsible for water and sewer service in the community of Groveland.

The GCSD treats the water with ultraviolet (UV) light disinfection and chloramines, prior to distribution to its customers. The water is then transmitted to the water distribution systems. The Big Creek Water Treatment Facility primarily serves Pine Mountain Lake, while the Second Garrote Water Treatment Facility serves Groveland and Big Oak Flat, with the two distribution systems capable of interconnecting between Water Storage Tanks 1 and 3.

From the treatment plants, the treated water travels to the GCSD's distribution system through the underground piping mainly contained in road rights-of-way. The distribution system serves about 3,225 customers and contains 11 pressure zones, 17 pressure reducing facilities, 9 pressure relief valves, 3 intra-zone booster pumping stations, 5 water storage tanks and 70 miles of water transmission lines. The population served varies between about 3,500 in the winter months to about 9,000 on busy holiday weekends in the summer.

In the distribution system, GCSD operates 5 storage tanks with a combined capacity of 2,650,000 gallons. The District reservoirs hold approximately 6.7 million gallons of water storage which is much more than current daily customer demands. The GCSD has completed a *Water Supply Critical Dry Period Analysis* that shows even in dry and critical dry years, the GCSD has sufficient water storage to meet its customers' daily demands through year 2034.

The GCSD has one sewer treatment plant, consisting of primary and secondary treatment. The sewage treatment plant normally operates at 250,000 gallons/day. The plant is permitted an average dry-weather flow of 400,000 gallons per day and a wet-weather flow of 500,000 per day. There are two reclaimed water storage reservoirs, with a total capacity of about 182 acre-feet. The GCSD has the sewage capacity to serve the project site.

Analysis:

The Mountain Sage nursery and café facility currently utilizes public water and sewer services provided by the GCSD.

Section 17.34.010 of the Tuolumne County Ordinance Code states that development within the C-1 (General Commercial) zoning district shall be served with public water, public sewer, paved streets and adequate police and fire protection according to the policies of the general plan. Development in this zone must comply with Title 15 of this code relative to fire safety standards.

GCSD responded to the project and stated concerns regarding the ability to provide sufficient sanitary facilities on the site for events attracting up to 500 people. The project will be conditioned to provide portable toilet facilities in sufficient quantities that meets Chapter 5 of the Tuolumne County Ordinance Code; therefore, there will not be a significant impact on sewer services provided by the GCSD or result in the need to expand the current wastewater treatment facilities.

Section 5.12 of the Tuolumne County Ordinance Code is utilized for outdoor music festivals and similar types of events. The following conditions apply for the concerts or other community events on the project site:

- The property owner or event coordinator shall provide at least one water closet (toilet) and one urinal for every two hundred males and one water closet for every one hundred females, or major fraction of such number permitted to attend each concert or large event. If a compartment contains one water closet and one urinal the permittee may count it as one urinal but not both. The water closets shall be on the site a minimum of one day prior to the event.
- The property owner or event coordinator shall provide one lavatory (wash basin) for each two water closets (toilets) that are required.
- All toilets and lavatories shall be maintained in a clean and sanitary manner during the events.
- The property owner or event coordinator shall submit evidence of an agreement to rent and service the chemical toilets provided for each event from a company registered by the Tuolumne County Division of Environmental Health no later than 14 days prior to each event.
- No later than 14 days prior to each event, the property owner or event coordinator shall submit evidence to the Environmental Health Division of the Community Resources Agency of a service agreement between approved liquid waste disposal facilities for the disposal of liquid waste requiring offsite disposal generated by each event.
- At least 3 potable water drinking fountains shall be provided for use during each concert or large event.
- At least 14 days prior to each concert or large event, the property owner or event coordinator shall provide evidence to the Environmental Health Division of the Community Resources Agency indicating that an approved supply of potable water meeting the minimum requirements of the California Safe Drinking Water Act with the capacity to furnish at least 30 gallons per person per day will be provided by the permittee for use by all staff and patrons during the event.

Section 8.05 of the Ordinance Code specifies the requirements for the handling of refuse, rubbish and recyclables as follows:

- The property owner or event coordinator shall provide approved facilities for the storage of a minimum of 50 cubic yards of garbage and trash generated by and for each event.
- All garbage, recyclables and trash shall be deposited in durable plastic bags and tightly secured prior to disposal in approved storage facilities.
- The property owner or event coordinator shall submit evidence of a service contract with permitted refuse hauling and solid waste disposal company, to the Environmental Health Division of the Community Resources Agency, for trash and garbage removal services, at least 14 days prior to each event.

The operation of concerts and other community events on the project site will not exceed wastewater treatment requirements of the Regional Water Quality Control Board, will not require the construction of new wastewater treatment facilities or the expansion of existing treatment facilities. No storm water treatment facilities will be required for this project. The GCSD has sufficient water supply exists in their current system to supply potable water to the site without the need to expand existing facilities.

PG&E will supply electricity to the project site and was notified of the project, but offered no comments.

Solid waste generated by the project will be hauled to the Cal Sierra Transfer Station located at 19309 Industrial Drive in East Sonora. Tuolumne County currently disposes of up to 240 tons of solid waste per day, with an average of approximately 92 tons per day. All of the solid waste collected in the County is processed at the Cal Sierra Transfer Station, which is operated by Waste Management, Inc. through a contract with the County. At the transfer station, waste is inspected to remove hazardous materials. Waste received at the transfer station is loaded into transfer trailers and trucked to the Highway 59 Landfill in Merced County.

Between one and seven transfer trailers haul waste to the landfill each day. Each truck hauls approximately 20 tons of waste per trip. Tuolumne County has contracted with the Merced County Regional Waste Management Authority to secure disposal capacity at the Highway 59 Landfill. To date, there is sufficient capacity in this landfill to support the transportation of waste from the project site.

Cal Sierra Disposal operates a buy-back center at 14959 Camage Avenue, in East Sonora. Untreated wood and yard waste is presently accepted by Cal Sierra Disposal at its Earth Resources Facility located at 14909 Camage Avenue. Such material is accepted for a fee and is ground up or chipped and sold as compost or any other uses deemed appropriate for such material. The solid waste infrastructure of the County is adequate to accommodate the project as proposed.

Pursuant to Section 8.05.030 of the Tuolumne County Ordinance Code, a recycling area must also be established to serve the concerts and other community events.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE:

Supporting Information Sources	Potentially Significant Impact	Less-than- Significant With Mitigation Incorporation	Less-than- Significant Impact	No Impact
Proposed Project/Action:				
Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Have impacts that are individually limited, but cumulative considerable? ("Cumulative considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Analysis:

Based upon the analysis contained herein, approval of the project would not result in a significant impact on the environment. Although the project, as originally proposed, had the potential to have a significant effect on the environment, the project has been modified by incorporating measures to mitigate potential impacts.

Mitigation Measures: None required.

Mitigation Monitoring: Not applicable.

AGENCIES**CONTACTED:****AGENCIES CONTACTED:****Tuolumne County:**

Agricultural Commissioner
Air Pollution Control District
Community Resources Agency, Building and Safety Division
Community Resources Agency, Environmental Health Division
Community Resources Agency, Engineering Division
Community Resources Agency, Solid Waste Division
Community Resources Agency, County Surveyor
Farm Advisor
Fire Department, Fire Prevention Division
Recreation Department
Sheriff's Department
Superintendent of Schools
Tuolumne County Transportation Council

State of California:

Department of Fish and Wildlife
Department of Transportation, Caltrans District 10

Other:

AT&T
Audubon Society
Central Sierra Environmental Resource Center
Chicken Ranch Rancheria of Me-Wuk
Citizens for Responsible Growth
Comcast Cable Communications
Pacific Gas & Electric Company
Sierra Club, Tuolumne Group
Big Oak Flat School District
Tuolumne County Association of Realtors
Tuolumne County Farm Bureau
Tuolumne Heritage Committee
Tuolumne County Historical Society
Tuolumne County Trails Council
Tuolumne Me-Wuk Tribal Council
Tuolumne Utilities District
United States Fish and Wildlife Service
U.S. Army Corp of Engineers

SOURCES REVIEWED:**Tuolumne County:**

1996 General Plan
EIR for the General Plan Update
Zoning Ordinance (Title 17)
Land Divisions Ordinance (Title 16)
Road Standards (Title 11)
Connecting Roadways (Chapter 12.04)
Grading Ordinance (Chapter 12.20)
Water and Sewers (Title 13)
Construction Codes (Chapter 15.04)
Fire Code (Chapter 15.08)

Fire Safety Standards (Chapter 15.20)
Traffic Impact Mitigation Fees (Chapter 3.54)
County Service Impact Mitigation Fees (Chapter 3.50)
Outdoor Music Festivals (5.12)
Rubbish, Refuse and Recyclables (8.05)
Geotechnical Interpretive Maps
General Plan Maps
Wildlife Habitat Maps
Tuolumne County Wildlife Handbook
Wildlife Aerial Photography
Fire Hazard Maps
Deer Herd Maps
Regional Transportation Plan
Historic/Archeological Index to Studies

State of California:

California Environmental Quality Act
Consulting Engineers and Land Surveyors of California: "2018 Planning and Zoning Law"
Natural Diversity Data Base Maps, Department of Fish & Wildlife
Census Bureau - Biannual Population Estimates, Department of Finance

Technical Studies:

Tuolumne County Regional Blueprint Greenhouse Gas Study, Rincon Consultants, Inc., San Luis Obispo, January 2012.

2017 Tuolumne County Annual Livestock and Crop Report, Agricultural Commissioner's Office, December 2017

Cultural Resources Survey of a 25.38 Acre Parcel of Land Owned by Mary Laveroni, Groveland, Tuolumne County, California, Foothill Resources, Ltd., Murphys, California, June 13, 2003.

Mountain Sage July 2016 Concert Noise (Noise Technical Report), Environmental Science Association (ESA) from Sacramento, California, July 23, 2016,

PREPARED BY: Renee Hendry, Planner II

S:\Planning\PROJECTS\Conditional Use Permit Historic\2015\CUP15-009 Hirsch (CUPH15-003)\CEQA\Initial Study Rev.doc

**RESPONSES TO COMMENTS
ON
NEGATIVE DECLARATION**

DATE: October 21, 2019

**ASSESSOR'S
PARCEL NO.** 07-010-022

**SURFACE/MINERAL
RIGHTS OWNER:** Regina Hirsch

APPLICANT: Regina Hirsch

PROJECT AND SETTING

**PROJECT
DESCRIPTION:**

1. Conditional Use Permit CUP15-009 to allow the following:

- A. Up to 14 outdoor music concerts, weddings or other seasonal events from April through October with amplified music, vendors and food service.
- B. Non-certified Famer's Market held from Memorial Day through Labor Day on Friday afternoons, approximately 3 p.m. until 6 p.m. and Saturdays 8 a.m. until 1 p.m.
- C. Farm Stand to be operated by co-op members for the sale of locally grown produce and cottage food products.

2. Historic Use Permit CUPH15-003 to allow the following:

- A. Conversion of an existing historic barn to allow classes, lectures, workshops, and other community events periodically throughout the year.
- B. Conversion of an existing historic residence into a restaurant and retail store.

The property is 21± acres in size. The site is zoned C-1 (General Commercial), C-1:H (General Commercial:Historic Combining), RE-1 (Residential Estate, One Acre Minimum) and O (Open Space) under Title 17 of the Tuolumne County Ordinance Code. The proposed uses will occur in the 2.7± acre portion of the site zoned C-1 and C-1:H.

LOCATION:

The project site is located at 18653 Main Street (State Highway 120) in Groveland, approximately 400 feet west of the intersection of Highway 120 and Powder House Street. A portion of Sections 20 and 21, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 07-010-22. Supervisorial District 4.

ENVIRONMENTAL EVALUATION

Tuolumne County has prepared a Negative Declaration for this project. Pursuant to Section 15203 of the State CEQA Guidelines, Tuolumne County has provided a review period for other public agencies and members of the public to review the Negative Declaration, including proposed conditions of approval. Pursuant to Section 15205, the Negative Declaration was sent to the State Clearinghouse for review by State Agencies. The review period was 30 days in length and closed on October 7, 2019. Tuolumne County has received comments on the Negative Declaration. This document contains copies of all comments received on the Negative Declaration and the County's responses to those comments for consideration by the decision making body in accordance with Section 15074 of the State CEQA Guidelines.

RESPONSES TO COMMENTS

The following pages contain comments received from public agencies and interested parties regarding the Negative Declaration prepared for the project described herein. Each comment letter is followed by the County's responses to the comments contained therein.



Gavin Newsom
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Kate Gordon
Director

A

October 8, 2019

Renee Hendry
Tuolumne County
2 South Green Street
Sonora, CA 95370

Subject: Hirsch Conditional Use Permit CUP15-009 and Historic Conditional Use Permit CUPH15-003
SCH#: 2019099007

Dear Renee Hendry:

1

The State Clearinghouse submitted the above named NEG to selected state agencies for review. The review period closed on 10/7/2019, and the comments from the responding agency (ies) is (are) available on the CEQA database for your retrieval and use. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

Check the CEQA database for submitted comments for use in preparing your final environmental document: <https://ceqanet.opr.ca.gov/2019099007/2>. Should you need more information or clarification of the comments, **we recommend that you contact the commenting agency directly.**

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

cc: Resources Agency

RECEIVED

OCT 15 2019

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL 1-916-445-0613 state.clearinghouse@opr.ca.gov www.opr.ca.gov

COUNTY OF TUOLUMNE
Community Resources Agency

Airports Pine Mountain Lake
Schools Teneya Elementary, Tioga High School
Waterways Garotte Creek, Pine Mountain Lake, Big Creek
Township 1S
Range 16E
Section 20/21
Base MD B&M

Notice of Completion

Review Period Start 9/6/2019

Review Period End 10/7/2019

Development Type Commercial (21+ Acres)

Local Action Use Permit Historic Conditional Use Permit

Project Issues Aesthetic/Visual Agricultural Land Air Quality Archaeologic-Historic Biological Resources Drainage/Absorption
 Flood Plain/Flooding Forest Land/Fire Hazard Geologic/Seismic Greenhouse Gas Emissions Minerals Noise
 Population/Housing Balance Public Services Recreation/Parks Schools/Universities Septic System
 Sewer Capacity Soil Erosion/Compaction/Grading Solid Waste Toxic/Hazardous Traffic/Circulation Vegetation
 Water Quality Water Supply Wetland/Riparian Wildlife Growth Inducing Land Use Cumulative Effects

Reviewing Agencies

Air Resources Board, Transportation Projects Cal Fire California Department of Fish and Wildlife, Central Region 4
 California Department of Parks and Recreation California Highway Patrol
 California Native American Heritage Commission Central Valley Flood Protection Board
 Department of Toxic Substances Control Department of Water Resources Office of Historic Preservation
 Resources Agency California Regional Water Quality Control Board, Central Valley Sacramento Region 5
 California Department of Transportation, District 10

2

Attachments

Environmental Document

Initial Study Rev DOC 11201 K neg dec_201909040826 PDF 332 K
 Summary Form PDF 130 K

NOC

NOC PDF 1099 K

State Comments

2019099007 RWQCB PDF 1221 K 2019099007_DOT10_TUC-120-PM 32 PDF 511 K

Disclaimer: The Governor's Office of Planning and Research (OPR) accepts no responsibility for the content or accessibility of these documents. To obtain an attachment in a different format, please contact the lead agency at the contact information listed above. You may also contact the OPR via email at state.clearinghouse@opr.ca.gov or via phone at (916) 445-0613. For more information, please visit OPR's Accessibility Site.

A. Governor's Office of Planning and Research – State Clearinghouse and Planning Unit

1. This comment acknowledges that Tuolumne County has complied with the State Clearinghouse review requirements for the Draft Mitigated Negative Declaration for Conditional Use Permit CUP15-009 and Historic Use Permit CUPH15-003 pursuant to the California Environmental Quality Act (CEQA).
2. This comment indicates that the State Clearinghouse distributed the Draft Negative Declaration for Conditional Use Permit CUP15-009 and CUPH15-003 to eleven State agencies for review:
 - Air Resources Board, Transportation Projects
 - Cal Fire
 - California Department of Fish and Wildlife, Central Region 4
 - California Department of Parks and Recreation
 - California Highway Patrol
 - Native American Heritage Commission
 - Central Valley Flood Protection Board
 - Department of Toxic Substance Control
 - Department of Water Resources
 - Office of Historic Preservation
 - Resources Agency
 - California Regional Water Quality Control Board, Central Valley Region 5 (Sacramento)
 - California Department of Transportation (Caltrans) District 10

Comments were received from two State agencies: Caltrans District 10; and the Regional Water Quality Control Board, Region 5.

DEPARTMENT OF TRANSPORTATION

DISTRICT 10
P.O. BOX 2048, STOCKTON, CA 95201
(1976 E. DR. MARTIN LUTHER KING JR. BLVD. 95205)
PHONE (209) 948-7325
FAX (209) 948-7164
TTY 711
www.dot.ca.gov



Making Conservation
a California Way of Life.

Governor's Office of Planning & Research

OCT 04 2019

October 4, 2019

STATE CLEARINGHOUSE

Ms. Renee Hendry, Planner II
94 N. Washington Street
County of Tuolumne
Community Resources Agency
2 South Green Street
Sonora, CA 95370

TUO-120-PM 32.142
Hirsch-Historic Use Permit
(CUPH)15-003 and
Conditional Use Permit
(CUP)15-009
SCH# 2019099007

B

Dear Ms. Hendry,

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the application from Regina and Rob Hirsch for Hirsch-CUPH15-003 and CUP15-009. The proposed project is located on Assessor's Parcel Number 007-010-22 at 18653 Main Street in Groveland. All proposed activity uses will be held on a 2.7± acre portion of a 21.0± acre parcel in association with the existing Mountain Sage Nursery and Restaurant.

Caltrans has reviewed the Initial Study Mitigated Negative Declaration (MND) and has the following comments:

Caltrans has responded to the previous scoping documents for this project on August 12, 2015, September 1, 2017, and April 11, 2019. Previous comments and concerns still apply, and the following comments are in addition to all previous comments provided.

1

1. It is recommended to have traffic control signing on State Route (SR) 120 to direct traffic to parking area and coordinate with California Highway Patrol (CHP) during these events. All signing must be placed outside of Caltrans right-of-way (ROW).

2

2. There should be no parking along SR 120 for any of the proposed events.

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Ms. Renee Hendry
Page 2

3

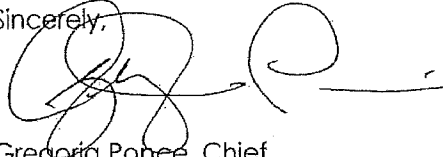
3. Hydrology, Biological, Safety issues on SR 120, and Wildlife habitat measures stated in the IS/MND will need to be adhered to during any construction activities within Caltrans ROW.

4

Lastly, developments in the future will need to be reviewed again by Caltrans. Where an Encroachment Permit will be required for any work done within Caltrans ROW now, or in future proposed developments, or any construction activities that will encroach into Caltrans ROW, appropriate environmental studies must be submitted with this application. Please include California Environmental Quality Act (CEQA) documentation with supporting technical studies when submitting the Encroachment Permit. For more information please visit the Caltrans Website. <https://dot.ca.gov/programs/traffic-operations/ep/applications>

If you have any questions or would like to discuss these comments, please contact Michael Casas at (209) 948-7475 (michael.casas@dot.ca.gov) or me at (209) 948-7325 (gregoria.ponce@dot.ca.gov).

Sincerely,



Gregoria Ponce, Chief
Office of Rural Planning

C: Darin Grossi, Executive Director Tuolumne County Transportation Council
David Gonzalves, Director, Tuolumne County Community Resources
Agency
State Clearing House

B. Caltrans District 10 Response:

1. Traffic Control Signing:

The California Department of Transportation has provide previous comments regarding the control of traffic for events on the project site. The project has been conditioned to prepare a Traffic Management Plan for larger events which includes the placement of signage directing participants to the onsite parking lots. The use of the California Highway Patrol during large events is also to be included in the Traffic Management Plan. Please see the Transportation/Traffic section of the Initial Study for further information.

2. No Parking along State Route 120:

The project has been conditioned to include signage in the required Traffic Management Plan for events on the project site. The applicant is required to work with CalTrans on the type of signs for events, including the placement of No Parking signs along State Highway 120 during events. Please see the Transportation/Traffic section of the Initial Study for further information.

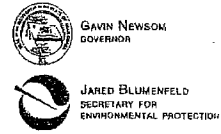
3. Hydrology, Biology, Safety and Wildlife issues:

Caltrans advises that the project should adhere to the mitigation measures discussed in the Mitigated Negative Declaration in regards to hydrology, biology, safety issues and wildlife protection measures for any work within the Caltrans highway right-of-way. The mitigation measures have been incorporated into the Conditions of Approval for Conditional Use Permit CUP15-009 and Historic Use Permit CUPH15-003.

4. Encroachment Permits and future development:

Caltrans advises that prior to any work being conducted within the State Highway 120 right-of-way, the applicant is required to obtain an Encroachment Permit. Caltrans requests to review any future changes to the project description or any future development in the area of the project site. The requirement to obtain an Encroachment Permit from Caltrans has been incorporated into the Conditions of Approval for Conditional Use Permit CUP15-008 and Historic Use Permit CUP15-003. Any revisions to the current project or any new applications for development in the Groveland area would be sent to Caltrans for review.

Runoff from the project site has the potential to transport silt and other sediments to off-site surface waters if soil surfaces exposed during construction on the project site are not stabilized. The Federal Water Pollution Control Act was adopted to protect the quality of surface waters of the Country and is implemented through the National Pollutant Discharge Elimination System (NPDES). In California, the NPDES is implemented through the Storm Water Permitting Unit of the State Water Resources Control Board. Pursuant to State regulations, land development projects which disturb one acre or more must submit a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit. The project will be conditioned to require that the property owner submit the NOI to comply with the Federal Water Pollution Control Act and minimize pollution of surface waters. The Storm Water Permitting Unit will determine if an Industrial Storm Water Permit is required during review of the application.



Central Valley Regional Water Quality Control Board

24 September 2019

Governor's Office of Planning & Research

SEP 25 2019

Renee Hendry
Tuolumne County
Community Resources Agency
2 South Green Street
Sonora, CA 95370

STATE CLEARINGHOUSE CERTIFIED MAIL
7019 0700 0002 0112 0200

C

COMMENTS TO REQUEST FOR REVIEW FOR THE NEGATIVE DECLARATION, HIRSCH CONDITIONAL USE PERMIT CUP15-009 AND HISTORIC CONDITIONAL USE PERMIT CUPH15-003 PROJECT, SCH#2019099007, TUOLUMNE COUNTY

Pursuant to the State Clearinghouse's 6 September 2019 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Negative Declaration* for the Hirsch Conditional Use Permit CUP15-009 and Historic Conditional Use Permit CUPH15-003 Project, located in Tuolumne County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be

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approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

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Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

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Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

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Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

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Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

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Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality/certification/

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Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:
https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Waste Discharge Requirements – Discharges to Land

Pursuant to the State Board’s Onsite Wastewater Treatment Systems Policy, the regulation of the septic system may be regulated under the local agency’s management program.

For more information on waste discharges to land, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_land/index.shtml

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Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

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Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/ or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 11-100 acres are currently \$1,277 + \$8.53/Acre); the cost to prepare annual

monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Limited Threat General NPDES Permit


If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/rs-2016-0076-01.pdf

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NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:
<https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov.



Jordan Hensley
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento

C. Response to the Central Valley Regional Water Quality Control Board:

1. Antidegradation Considerations:

This comment refers to the compliance with the Antidegradation Implementation Policy contained in the Basin Plan for projects located within the jurisdiction of the Central Valley Regional Water Quality Control Board pursuant to the National Pollution Discharge Elimination System (NPDES) and the Waste Discharge Requirements (WDRs) permit process, to ensure no degradation of water quality due to discharges of wastewater. Modification of the existing commercial buildings and the construction of new paved parking areas will create impermeable surfaces and, therefore, increase runoff from the site. Storm

water from the site will be funneled to a retention/detention basin to filter and attenuate surface runoff from paved travel ways and parking areas prior to discharge into the natural drainage system to minimize degradation.

2. **Construction Stormwater General Permit:**

Runoff from the project site during construction has the potential to transport silt and other sediments to off-site surface waters if soil surfaces exposed during project construction are not stabilized. The Federal Water Pollution Control Act was adopted to protect the quality of the nation's surface waters and is implemented through the National Pollutant Discharge Elimination System (NPDES). In California, the NPDES is implemented through the Storm Water Permitting Unit of the State Water Resources Control Board. Pursuant to State regulations, land development projects must submit a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit. A one acre or greater area of disturbance requires submittal of an NOI to the State Water Resources Control Board in order to comply with the Federal Water Pollution Control Act to minimize pollution of surface waters.

A Stormwater Pollution Prevention Plan (SWPPP) is required to be developed and submitted with the NOI. The SWPPP includes Best Management Practices (BMPs), which will minimize stormwater runoff, erosion, and sediment movement during project construction. The SWPPP will also include BMPs for preventing the discharge of NPDES pollutants beside sediment (such as fertilizers, petroleum hydrocarbons, paint, etc) to downstream waters.

Condition 8 of Conditional Use Permit CUP15-009 requires the submittal of a NOI to the Storm Water Permitting Unit of the Central Valley Regional Water Quality Control Board prior to issuance of a Grading Permit for this project.

3. **Phase I and II Municipal Separate Storm Sewer System (MS-4) Permits:**

The project site is located in the unincorporated area of Tuolumne County. There are no municipal storm sewer systems in the vicinity of the project site. There are no MS4 Permits in effect for the unincorporated area of Tuolumne County.

4. **Industrial Storm Water General Permit:**

The project consists of the operation of public events for entertainment purposes and the remodel of historic buildings on the site. There is no industrial component to the project. Therefore, an Industrial Storm Water General Permit is not required. Condition 8 of Conditional Use Permit CUP15-009 requires the submittal of a NOI to the Storm Water Permitting Unit of the Central Valley Regional Water Quality Control Board prior to issuance of a Grading Permit for this project. Commercial and industrial developments may require coverage even if less than one acre is disturbed.

5. **Clean Water Act Section 404 Permit and Clean Water Act Section 401 Permit – Water Quality Certification:**

Garrotte Creek traverses the frontage of the project site adjacent to State Highway 120. A majority of the runoff from the project site drains to this creek and eventually entering into the Lake Don Pedro reservoir. There are two ponds to the southwest, on an adjacent parcel, that are fed by an ephemeral stream, which connects to Garrotte Creek through the project site. Runoff from the project site has the potential to transport silt and other sediments to off-site surface waters if soil surfaces exposed during construction on the project site are not stabilized. The provisions of the Grading Ordinance, Chapter 12.20 of the Ordinance Code, shall be enforced by the Engineering Division of the Department of Public Works for driveway and parking area improvements required for this project. Because of the erosive nature of the soils on the project site, an Erosion Control Plan will be required as a condition of approval for the proposed project for any construction activities occurring between October 15 and May 15 of any year.

Prior to grading on the site for parking lot, driveway, or other improvements, a Drainage Plan is required to be submitted to the Engineering Division of the Department of Public Works. The Drainage Plan must determine the effects of drainage on the site and its effects to adjacent properties. A retention/detention basin, sedimentation basin, or similar devices will be required to filter and attenuate surface runoff from paved travel ways and parking areas prior to discharge into the natural drainage system to minimize degradation.

The drainage plan will provide details of the stormwater retention/detention plans and detail other improvements necessary to accommodate post-project stormwater flows. The Engineering Division will verify that drainage improvements are constructed as shown on the approved drainage plan during inspections of the grading permit issued for the project. No discharge will occur into Waters of the United States as a result of this project. The project will not impact wetlands either within the jurisdiction of the United States Army Corps of Engineers or the Regional Water Quality Control Board. No Section 404 or 401 Water Quality Certification Permit will be required.

6. **Waste Discharge Requirements:**

There are no existing public storm drainages in the project vicinity. Garrotte Creek runs along the frontage of the project site, adjacent to State Highway 120. Grading on the site would result in a minor increase in runoff from the site. Pursuant to Section 12.20.150(G) of the Tuolumne County Ordinance Code, detailed plans are required for all surface and subsurface drainage devices, walls, cribbing, berms, dams and other protective devices to be constructed with, or as a part of, the proposed work together with a map showing the drainage area and the estimated runoff of the area served by any drains.

The project is required to provide a Drainage Study. The Drainage Study will identify options to capture the increase in stormwater runoff before it leaves the project site and effects downstream drainage facilities. A retention/detention basin, sedimentation basin, or similar devices will be required to filter and attenuate surface runoff from paved travel ways and parking areas prior to discharge into the natural drainage system to minimize degradation.

The project will not impact wetlands either within the jurisdiction of the United States Army Corps of Engineers or the Regional Water Quality Control Board.

7. **Dewatering Permit:**

This project does not involve the removal of groundwater to be discharged to land or water bodies. This project would allow public events for entertainment purposes and the remodel of existing historic structures on the site. The project also involves grading of an area for the construction of a new 167 space parking lot with no removal of groundwater or other dewatering activities.

8. **Regulatory Compliance for Commercially Irrigated Agriculture:**

The property will not be used for commercially irrigated agriculture.

9. **Low or Limited Threat General NPDES Permit:**

The project does not include construction dewatering or other discharges to waters of the State. This project will be provided public water and sewer service from the Groveland Community Services District.



OFFICE OF ENVIRONMENTAL COORDINATOR

Quincy Yaley, AICP
Environmental Coordinator

MITIGATED NEGATIVE DECLARATION

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
209 533-5633
209 533-5616 (fax)
209 533-5909 (fax – EHD)
www.tuolumnecounty.ca.gov

**PROJECT
PROPONENT:**

Regina Hirsch

**PROJECT
NUMBER:**

Conditional Use Permit CUP15-009

**PROJECT
DESCRIPTION:**

1. Conditional Use Permit CUP15-009 to allow the following:

- A. Up to 14 outdoor music concerts, weddings or other seasonal events from April through October with amplified music, vendors and food service.
- B. Non-certified Farmer's Market held from Memorial Day through Labor Day on Friday afternoons, approximately 3 p.m. until 6 p.m. and Saturdays 8 a.m. until 1 p.m.
- C. Farm Stand to be operated by co-op members for the sale of locally grown produce and cottage food products.

The property is 21± acres in size. The site is zoned C-1 (General Commercial), C-1:H (General Commercial:Historic Combining), RE-1 (Residential Estate, One Acre Minimum) and O (Open Space) under Title 17 of the Tuolumne County Ordinance Code. The proposed uses will occur in the 2.7± acre portion of the site zoned C-1 and C-1:H.

LOCATION:

The project site is located at 18653 Main Street (State Highway 120) in Groveland, approximately 400 feet west of the intersection of Highway 120 and Powder House Street. A portion of Sections 20 and 21, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian. Supervisorial District 4.

**ASSESSOR'S
PARCEL NO:**

07-010-22

COUNTY:

County of Tuolumne

LEAD AGENCY:

Tuolumne County Community Development Department

DETERMINATION

In accordance with the California Environmental Quality Act (CEQA), the Environmental Coordinator for the County has conducted an Initial Study to determine whether the proposed project may have a significant effect on the environment. On the basis of that study and the following findings, the Environmental Coordinator makes the following determination:

- ☐ The proposed project **will not** have a significant effect on the environment and a Negative Declaration has been prepared.
- ☒ Although the project, as originally proposed, had a potential to have a significant effect on the environment, the project has been modified by incorporating measures to mitigate the potential impacts into the conditions of approval; therefore, a Mitigated Negative Declaration has been prepared.

The attached Initial Study incorporates all relevant information regarding the potential environmental effects of the project, includes project mitigation measures, and confirms the determination that an Environmental Impact Report (EIR) is not required for the project.

FINDINGS

- A. The proposed project will not result in significant adverse impacts to the environment.
- B. The Mitigated Negative Declaration was prepared in accordance with the California Environmental Quality Act (CEQA) and State and County Guidelines for the implementation of CEQA.
- C. The Mitigated Negative Declaration reflects the independent judgment of the County of Tuolumne.
- D. Pursuant to Section 21081.6(a)(1) of the Public Resources Code, a reporting and/or monitoring plan has been prepared, as incorporated into the conditions of project approval, in order to avoid significant effects to the environment.
- E. The conditions of project approval are roughly proportional to the respective potential environmental impacts associated with the proposed project.
- F. Pursuant to Section 21081.6(a)(2) of the Public Resources Code, the custodian and location of the documents and materials which constitute the record of proceedings upon which this decision to adopt the Mitigated Negative Declaration had been made are as follows:

Environmental Coordinator/Community Resources Director, Tuolumne County Community Development Department, 48 Yaney, Sonora, California.

Fire Protection, Tuolumne County Fire Department, 48 Yaney, Sonora, California.

Quincy Yaley, AICP
Environmental Coordinator

Date

QY:rh